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THE

PUBLIC GENERAL ACTS

PASSED IN THE NINTH AND TENTH YEARS

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH;

BEING THE

FIRST SESSION OF THE THIRTY-FIRST PARLIAMENT

OF THE

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UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

WITH AN INDEX, AND TABLES SHOWING THE EFFECT OF THE YEAR'S LEGISLATION ON THE PUBLIC GENERAL ACTS; ALSO THE TITLES OF THE LOCAL AND PRIVATE ACTS ARRANGED CONSECUTIVELY AND IN CLASSES.

Published by Authority.

LONDON:
PRINTED BY EYRE AND SPOTTISWOODE, LIMITED,
FOR WILLIAM RICHARD CODLING, ESQ., C.B.E., M.V.O.,
THE KING'S PRINTER OF ACTS OF PARLIAMENT.

To be purchased through any Bookseller or directly from
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TABLE

OF

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27. An Act to extend the provisions of section one of the Solicitors (Articled Clerks) Act, 1918. (*Solicitors (Articled Clerks).*)

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32. An Act to grant certain duties of Customs and Inland Revenue, including Excise, to alter other duties, and to amend the Law relating to Customs and Inland Revenue, including Excise, and the National Debt, and to make further provisions in connection with Finance. (*Finance.*)

33. An Act for carrying into effect the Treaty of Peace between His Majesty and certain other Powers. (*Treaty of Peace.*)

34. An Act for approving a Treaty between His Majesty and the President of the French Republic. (*Anglo-French Treaty (Defence of France).*)

35. An Act to amend the enactments relating to the Housing of the Working Classes, Town Planning, and the acquisition of small dwellings. (*Housing, Town Planning, &c.*)

36. An Act to alter the rate of remuneration for the purposes of exception from insurance under the National Insurance (Health) Acts, 1911 to 1918, and for purposes in connection therewith. (*National Health Insurance.*)

37. An Act to make further provision for raising Money for the present War, and for purposes in connexion therewith; to authorise the extension in certain cases of War Savings Certificates, and to make further provision in relation to Government Securities. (*War Loan.*)

38. An Act to make further provision with respect to Wireless Telegraphy on Ships. (*Merchant Shipping (Wireless Telegraphy).*)

39. An Act to continue certain Expiring Laws. (*Expiring Laws (Continuance).*)

40. An Act to enable the rules as to the Civil Employment of Retired Officers to be revoked or modified in so far as they provide for deductions from civil pay. (*Retired Officers (Civil Employment).*)

41. An Act to enable Governing Bodies of Schools and Educational Institutions to comply with the conditions prescribed in the Regulations of the Board of Education for the receipt of grants out of moneys provided by Parliament. (*Education (Compliance with Conditions of Grants).*)

42. An Act to make provision with respect to the restoration after the present war of certain trade practices, and to amend the law relating to munitions tribunals. (*Restoration of Pre-War Practices.*)

43. An Act to authorise the Treasury to guarantee the Payment of Interest on a Loan to be raised by the Government of the Soudan. (*Government of the Soudan Loan.*)

44. An Act to make provision with respect to Obligations incurred by or on behalf of His Majesty's Government for the purpose of the present War or in connection therewith. (*Government War Obligations.*)

45. An Act to amend the enactments relating to the Housing of the Working Classes and the acquisition of Small Dwellings in Ireland. (*Housing (Ireland).*)

46. An Act to amend the Law relating to the Police in Great Britain. (*Police.*)

47. An Act to provide for the establishment of a Court of Appeal for certain of His Majesty's Colonies in the West Indies. (*West Indian Court of Appeal.*)

48. An Act to amend the Coal Mines Acts, 1887 to 1914, with respect to the Hours of Employment below Ground. (*Coal Mines.*)

49. An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and eighteen and one thousand nine hundred and twenty. (*Consolidated Fund (No. 2).*)

50. An Act to establish a Ministry of Transport and for purposes connected therewith. (*Ministry of Transport.*)

51. An Act to provide for checking the Weight or Measurement of Materials produced, handled, or gotten by Workmen paid by Weight or Measure in certain Industries. (*Check-weighing in Various Industries.*)

52. An Act to grant Money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans. (*Public Works Loans.*)

53. An Act to make further provision for the Administration of the enactments relating to Naval, Military, and Air Force War Pensions, Grants, and Allowances, and for certain other purposes connected with such pensions, grants, and allowances. (*War Pensions* (*Administrative Provisions*).)

54. An Act to make further provision for the Protection of Animals from Cruelty. (*Animals* (*Anæsthetics*).)

55. An Act to amend the definition of Agricultural Labourer for the purposes of the Labourers (Ireland) Acts. (*Labourers* (*Ireland*).)

56. An Act to amend the Law relating to Solicitors. (*Solicitors.*)

57. An Act to amend the law as to the Assessment of Compensation in respect of Land acquired compulsorily for public purposes and the costs in proceedings thereon. (*Acquisition of Land* (*Assessment of Compensation*).)

58. An Act for establishing a Forestry Commission for the United Kingdom, and promoting afforestation and the production and supply of timber therein, and for purposes in connexion therewith. (*Forestry.*)

59. An Act to make further provision for the acquisition of land for the purposes of small holdings, reclamation, and drainage, to amend the enactments relating to small holdings and allotments, and otherwise to facilitate land settlement. (*Land Settlement* (*Facilities*).)

60. An Act to amend the enactments relating to Housing, Town Planning, and the acquisition of Small Dwellings in Scotland. (*Housing, Town Planning, &c.* (*Scotland*).)

61. An Act to amend the Law of Intestate Moveable Succession in Scotland. (*Intestate Moveable Succession* (*Scotland*).)

62. An Act to make provision with respect to the British Mercantile Marine Uniform. (*British Mercantile Marine Uniform.*)

63. An Act to amend the law as to Notices to Quit given to Tenants by Owners of Agricultural Land prior to the sale of such land. (*Agricultural Land Sales* (*Restriction of Notices to Quit*).)

64. An Act to extend, amend, and prolong the duration of section one of the Courts (Emergency Powers) Act, 1917. (*Courts* (*Emergency Powers*).)

65. An Act to continue in office the Welsh Commissioners appointed under the Welsh Church Act, 1914, to postpone the date of disestablishment, and to make further provision with respect to the temporalities of, and marriages in, the Church in Wales. (*Welsh Church* (*Temporalities*).)

66. An Act to check Profiteering. (*Profiteering.*)

67. An Act to amend the Superannuation Acts in their application to officers employed in Prisons and Criminal Lunatic Asylums. (*Superannuation* (*Prison Officers*).)

68. An Act to amend the Law relating to the Royal Irish Constabulary and Dublin Metropolitan Police. (*Constabulary and Police* (*Ireland*).)

69. An Act to provide for the establishment of an Industrial Court and Courts of Inquiry in connection with Trade Disputes, and to make other provision for the settlement of such disputes, and to continue for a limited period certain of the provisions of the Wages (Temporary Regulation) Act, 1918. (*Industrial Courts.*)

70. An Act to make further provision with respect to the Retirement and Pensions of County Court Judges, and the employment of deputy Judges, and for purposes in connection therewith. (*County Court Judges* (*Retirement Pensions and Deputies*).)

71. An Act to amend the Law with respect to disqualifications on account of sex. (*Sex Disqualification* (*Removal*).)

72. An Act to make further provision for the Destruction of Rats and Mice. (*Rats and Mice* (*Destruction*).)

73. An Act to amend the Law relating to County Courts and to make further provision with respect to the powers of those Courts. (*County Courts.*)

74. An Act to amend the Law with respect to Customs in the Isle of Man. (*Isle of Man* (*Customs*).)

75. An Act to enable Local Authorities to acquire existing Ferries by Agreement. (*Ferries* (*Acquisition by Local Authorities*).)

76. An Act to confer powers on the National Assembly of the Church of England constituted in accordance with the constitution attached as an Appendix to the Addresses presented to His Majesty by the Convocations of Canterbury and York on the tenth day of May nineteen hundred and nineteen, and for other purposes connected therewith. (*Church of England Assembly* (*Powers*).)

77. An Act to increase the rate of unemployment benefit payable under the National Insurance (Unemployment) Acts, 1911 to 1918, and to make certain consequential amendments in those Acts. (*National Insurance* (*Unemployment*).)

78. An Act to confirm certain terms in an agreement between His Majesty's Government and the Irish Railway Companies. (*Irish Railways* (*Confirmation of Agreement*).)

79. An Act to amend the Trade Marks Act, 1905. (*Trade Marks.*)

80. An Act to amend the Patents and Designs Acts. (*Patents and Designs.*)

81. An Act to amend the Dogs Regulation (Ireland) Act, 1865. (*Dogs Regulation (Ireland).*)

82. An Act to facilitate the provision of land in Ireland for men who have served in the Naval, Military, or Air Forces of the Crown in the present war, and for other purposes incidental thereto. (*Irish Land (Provision for Sailors and Soldiers).*)

83. An Act to amend the workmen's Compensation (War Addition) Act, 1917. (*Workmen's Compensation (War Addition) Amendment.*)

84. An Act to amend section four of the County and Borough Police Act, 1859. (*County and Borough Police.*)

85. An Act to remove the limit imposed by section forty-seven of the Mental Deficiency Act, 1913, and by section thirty-seven of the Mental Deficiency and Lunacy (Scotland) Act, 1913, on the contributions which may be made by the Treasury under those sections, and to extend the powers of district boards of control in Scotland to borrow money. (*Mental Deficiency and Lunacy Amendment.*)

86. An Act to amend the Anglo-Persian Oil Company (Acquisition of Capital) Act, 1914. (*Anglo-Persian Oil Company (Acquisition of Capital) Amendment.*)

87. An Act to extend the duration of the Profiteering Act, 1919. (*Profiteering (Continuance).*)

88. An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and twenty, and to appropriate the Supplies granted in this Session of Parliament. (*Appropriation.*)

89. An Act to make provision with regard to wills deposited under section twenty-one of the Regimental Debts Act, 1893, with the Commissary Clerk of the County of Edinburgh, and required for the purpose of confirmation as executor or of completing a title to heritable estate in Scotland. (*Regimental Debts (Deposit of Wills) (Scotland).*)

90. An Act to amend the increase of Rent and Mortgage Interest (War Restrictions) Act, 1915, and the enactments amending that Act, in relation to orders for possession and ejectment. (*Increase of Rent, &c. (Amendment).*)

91. An Act to provide for the constitution of a Ministry of Agriculture and Fisheries and of Councils and Committees in connection with agriculture, and to amend the Board of Agriculture and Fisheries Acts, 1889 to 1909. (*Ministry of Agriculture and Fisheries.*)

92. An Act to continue and extend the provisions of the Aliens Restriction Act, 1914. (*Aliens Restriction (Amendment).*)

93. An Act to amend the Public Libraries Acts, 1892 to 1901, and to repeal so much of the Museums and Gymnasiums Act, 1891, as authorises the provision of Museums in England and Wales. (*Public Libraries.*)

94. An Act to provide for the Registration of Nurses for the Sick. (*Nurses Registration.*)

95. An Act to provide for the Registration in Scotland of Nurses for the Sick. (*Nurses Registration (Scotland).*)

96. An Act to provide for the Registration of Nurses in Ireland. (*Nurses Registration (Ireland).*)

97. An Act to make further provision for the acquisition of land for the purposes of Small Holdings, Reclamation, and Drainage, and other purposes relating to Agriculture in Scotland, to amend the Small Landholders (Scotland) Act, 1911, and the enactments relating to Allotments, and otherwise to facilitate land settlement in Scotland. (*Land Settlement (Scotland).*)

98. An Act relating to the Union of Benefices. (*Union of Benefices.*)

99. An Act to make further provision for the better housing of the people, to authorise the acquisition of land for the development of garden cities or for the purposes of town-planning schemes, and to make further provision with respect to the borrowing powers of public authorities and bodies and with respect to the securities issued by them. (*Housing (Additional Powers).*)

100. An Act to amend the law with respect to the supply of electricity. (*Electricity (Supply).*)

101. An Act to make further provision with respect to the Government of India. (*Government of India.*)

102. An Act to amend the Old Age Pensions Acts, 1908 and 1911, and the Debtors Act, 1869. (*Old Age Pensions.*)

THE

PUBLIC GENERAL STATUTES.

[9 GEO. 5.]

CHAPTER 1.

An Act to constitute a Commission to inquire into the position of and conditions prevailing in the Coal Industry. [26th February 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Appointment of Commissioners.

1. His Majesty shall have power to appoint Commissioners, consisting of a chairman, who shall be a judge of the Supreme Court, a vice-chairman, and such other persons as His Majesty may think fit, for the purpose of inquiring into the position of, and conditions prevailing in, the coal industry, and in particular as to—

(*a*) the wages and hours of work in the various grades of colliery workers, and whether and, if so, to what extent, and by what method, such wages should be increased and hours reduced, regard being had to a reasonable standard of living amongst the colliery workers, and to the effect of such changes on the economic life of the country;

(*b*) any inequalities between different grades of colliery workers as regards wages, hours of work, and other conditions, and whether and, if so, to what extent any of these inequalities are unjustifiable and capable of remedy;

(*c*) the cost of production and distribution in the coal industry, or any industry commonly carried on in connection therewith or as ancillary or incidental thereto, and the general organisation of the coalfield and the industry as a whole;

(*d*) selling prices and profits in the coal industry, or any industry commonly carried on in connection therewith or as ancillary or incidental thereto;

(*e*) the social conditions under which colliery workers carry on their industry;

(*f*) any scheme that may be submitted to or formulated by the Commissioners for the future organisation of the

coal industry, whether on the present basis, or on the basis of joint control, nationalisation, or any other basis;

(*g*) the effect of the present incidence of, and practice in regard to, mining royalties and way-leaves upon the coal industry and the cost of coal, and whether any and what changes in these respects are desirable;

(*h*) the effect of proposals under the above heads upon the development of the coal industry and the economic life of the country.

Powers of Commissioners.

2.—(1) The Commissioners appointed under this Act (in this Act referred to as "the Commissioners") shall have all such powers, rights, and privileges as are vested in the High Court or in any judge thereof, on the occasion of any action, in respect of the following matters:—

(*a*) discovery and production to the Commissioners of documents, and for the purposes thereof the Commissioners shall have power to appoint and employ accountants and other experts to make such investigations and reports as they shall order; and

(*b*) enforcing the attendance of witnesses and examining them on oath, affirmation, or otherwise; and

(*c*) compelling the production of documents; and

(*d*) punishing persons guilty of contempt;

and a summons signed by one or more of the Commissioners may be substituted for and shall be equivalent to any formal process capable of being issued in any action for enforcing the attendance of witnesses and compelling the production of documents.

(2) A warrant of committal to prison issued for the purpose of enforcing the powers conferred by this section shall specify the prison to which the offender is to be committed, but shall not authorise the imprisonment of an offender for a period exceeding three months.

(3) Persons interested in the inquiry shall not be entitled to appear before the Commissioners by counsel or solicitor unless it appears desirable to the Commissioners to allow any such appearance for special reasons.

(4) The Commissioners may act notwithstanding any vacancy in their number, and three shall be a quorum.

(5) Every document purporting to be an order or other instrument issued by the Commissioners may be authenticated by the signature of any one or more of the Commissioners.

(6) The Commissioners shall have power to appoint committees for the purpose of inquiring into and reporting to the Commissioners on any of the matters referred to the Commissioners under this Act, and any such Committee may include, if the Commissioners think fit, persons other than Commissioners, and the Commissioners may delegate to any such Committee, for the purposes of such inquiry and report, any of the powers conferred on the Commissioners under this Act.

Publicity of proceedings.

3.—(1) The Commissioners may, in their discretion, refuse to allow the public or any portion of the public to be present at any proceedings of the Commissioners during the hearing of evidence of matters which, but for this Act, could not be disclosed, but, save as aforesaid, the sittings of the Commissioners at which evidence is taken shall be held in public; and a full and complete record in shorthand shall be kept of all evidence taken whether in public or in private.

(2) If any person who is present at any proceedings of the Commissioners at which the public or any portion thereof are not allowed to be present discloses, without the authority of the Commissioners, either directly or indirectly, anything that has taken place at those proceedings, he shall be liable to punishment for contempt of court.

Disclosure of confidential information.

4. A person examined as a witness or summoned to produce documents by the Commissioners shall not be excused from producing any document or giving any information on the ground that such document or information is secret or confidential, or is entitled or required to be withheld under section two of the Official Secrets Act, 1911, or under the Coal Mines Control Agreement (Confirmation) Act, 1918, or the agreement thereto scheduled, or otherwise, and section four of the last-mentioned Act shall not apply to the Commissioners or any person concerned in the inquiry.

1 & 2 Geo. 5. c. 28.
7 & 8 Geo. 5. c. 56.

Reports.

5. Any report of the Commissioners and any minority report shall be laid as soon as may be before both Houses of Parliament, and the Commissioners may, if they think fit, make interim reports, and shall, as soon as practicable, make an interim report on the questions of the wages and hours of work of colliery workers, and the Commissioners may publish, or cause to be published, from time to time, in such manner as they think fit, any information obtained or conclusions arrived at by them as the result or in the course of their inquiry:

Provided that there shall not be included in any report or publication made or authorised by the Commissioners any information obtained by them in the course of their inquiry as to any individual business (whether carried on by a person, firm or company) which but for this Act could not have been disclosed, nor shall any individual Commissioner or any person concerned in the inquiry disclose any such information.

Short title.

6. This Act may be cited as the Coal Industry Commission Act, 1919.

CHAPTER 2.

An Act to make provision for restricting the necessity of the re-election of Members of the House of Commons on acceptance of office, and to make provision as to the right of certain Ministers to sit in the House of Commons.

[27th February 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of law as to necessity of re-election of Ministers.

1.—(1) Notwithstanding anything in any Act, a member of the Commons House of Parliament shall not vacate his seat by reason only of his acceptance of an office of profit if that office is an office the holder of which is capable of being elected to, or sitting or voting in, that House, and if such acceptance has taken place within nine months after the issue of a proclamation summoning a new Parliament:

Provided that this section shall not apply to the acceptance of any office mentioned in the schedule to this Act, nor shall it affect the provisions of any Act imposing a limit on the number of Secretaries or Under Secretaries of State who may sit and vote in the Commons House of Parliament.

(2) Where by virtue of this section a member of the Commons House of Parliament does not vacate his seat by reason of his acceptance of any of the offices mentioned in Schedule H. of the Representation of the People Act, 1867, and Schedule H. of the Representation of the People (Scotland) Act, 1868, and Schedule E. of the Representation of the People (Ireland) Act, 1868, as amended by any subsequent enactment, he shall, for the purposes of section fifty-two, section fifty-one, and section eleven of those Acts, respectively, be treated as if he had been returned as a member to serve in Parliament since the acceptance by him of such office.

30 & 31 Vict. c. 102.
31 & 32 Vict. c. 48.
31 & 32 Vict. c. 49.

(3) This section shall be deemed to have had effect as from the first day of January nineteen hundred and nineteen.

Right of certain Ministers to sit in the House of Commons.

2. Where, before or after the passing of this Act, a member of His Majesty's Privy Council has been or is appointed to be a Minister of the Crown at a salary, without any other office being assigned to him, he shall not by reason thereof be deemed to have been or to be incapable of being elected to or of sitting or voting in the Commons House of Parliament, and the office of such Minister shall be deemed to be an office included in the above-mentioned schedules:

Provided that not more than three Ministers to whom this section applies shall sit as members of that House at the same time.

3. This Act may be cited as the Re-election of Ministers Act, 1919. Short title.

SCHEDULE.

ACCEPTED OFFICES.

Office of Steward or Bailiff of His Majesty's three Chiltern Hundreds of Stoke, Desborough and Burnham. Section 1.

Office of Steward or Bailiff of the Manors of East Hendred Northstead or Hempholme.

CHAPTER 3.

An Act to make temporary provision for the regulation of Air Navigation and for purposes connected therewith.

[27th February 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) It shall be lawful for a Secretary of State by order to regulate air navigation over the British Islands and the territorial waters adjacent thereto, and in particular, but without derogating from the generality of the above provision, he may by any such order provide for— Power to regulate air navigation.

(*a*) the grant, suspension and revocation of licences to pilots and other persons engaged in the navigation of aircraft, especially those used for carrying passengers, goods or mails;

(*b*) the registration, identification, inspection and certification of aircraft, especially those used for carrying passengers, goods or mails;

(*c*) the licensing, inspection and regulation of aerodromes;

(*d*) the conditions under which aircraft may be used for carrying goods, mails and passengers;

(*e*) the conditions under which goods and mails may be conveyed in aircraft into or from the British Islands or from one of the British Islands to another.

(2) If any person contravenes or fails to comply with the provisions contained in any such order, he shall be guilty of an offence under the Aerial Navigation Act, 1911: 1 & 2 Geo. 5, c. 4.

Provided that, if proceedings are taken by the Commissioners of Customs and Excise for contravention of, or failure to

comply with, any regulation made under paragraph (*e*), the proceedings shall be deemed to be proceedings for the recovery of a penalty under the enactments relating to customs.

(3) Every order made under this section shall have effect as if enacted in this Act, but, as soon as may be after it is made, it shall be laid before each House of Parliament, and, if an address is presented to His Majesty by either House within the next subsequent twenty-one days on which that House has sat after the order has been so laid, praying that the order or any part thereof may be annulled, His Majesty may annul the order or part thereof, and it shall thenceforth be void without prejudice to the validity of anything previously done thereunder or to the making of a new order.

2 & 3 Geo. 5. c. 22.

(4) The powers conferred by this Act shall be in addition to and not in derogation of the powers conferred by the Aerial Navigation Acts, 1911 and 1913.

Extension of purposes of Air Council.

2. The purposes of the Air Council shall include all matters connected with air navigation.

Short title and duration.

3.—(1) This Act may be cited as the Air Navigation Act, 1919, and the Aerial Navigation Acts, 1911 and 1913, and this Act may be cited together as the Air Navigation Acts, 1911 to 1919.

(2) This Act shall continue in force until the first day of January nineteen hundred and twenty and no longer.

CHAPTER 4.

An Act to prescribe the fees that may be charged for service of justices' summonses and county court processes in Ireland. [28th March 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Fees for service of summonses and processes.

1.—(1) The Lord Chancellor may make orders prescribing—

41 & 42 Vict. c. 69.

(*a*) the maximum sums that may be fixed by justices under section ten of the Petty Sessions Clerks and Fines (Ireland) Act, 1878, as fees for the service of summonses under the Summary Jurisdiction Acts; and

14 & 15 Vict. c. 57.

(*b*) the fees that may be charged under section eighteen of the Civil Bill Courts (Ireland) Act, 1851, for the service of county court processes.

(2) The maximum sums prescribed by any such order in relation to the fees for the service of summonses under the Summary Jurisdiction Acts shall be substituted for the sums

specified in the schedule to the Petty Sessions Clerks and Fines (Ireland) Act, 1878, and in section ten of that Act a reference to the order shall be substituted for the reference to the said schedule.

(3) The fees prescribed by any such order for the service of county court processes shall be substituted for the fees specified in section eighteen of the Civil Bill Courts (Ireland) Act, 1851.

(4) Every such order shall be published in the Dublin Gazette, and the production of a copy of such gazette purporting to be printed under the authority of His Majesty's Stationery Office and containing the publication of any such order shall be conclusive evidence of the making of such order.

2. This Act may be cited as the Summons and Process Servers' Fees (Ireland) Act, 1919, and shall apply to Ireland only. **Short title and extent.**

CHAPTER 5.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and nineteen and one thousand nine hundred and twenty.

[28th March 1919.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and nineteen, the sum of one million one hundred and thirty-three thousand eight hundred and fifty-two pounds. **Issue of 1,133,852*l.* out of the Consolidated Fund for the service of the year ending 31st March 1919.**

Issue of 440,310,000*l.* out of the Consolidated Fund for the service of the year ending 31st March 1920.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and twenty, the sum of four hundred and forty million three hundred and ten thousand pounds.

Power for the Treasury to borrow.

3.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole four hundred and forty-one million four hundred and forty-three thousand eight hundred and fifty-two pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March one thousand nine hundred and twenty, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

4. This Act may be cited as the Consolidated Fund (No. 1) Act, 1919.

.....

CHAPTER 6.

An Act to authorise the issue of certain sums out of the Consolidated Fund to the Civil Contingencies Fund; and to make further provision in connexion therewith.

[28th March 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Power to issue sums from the Consolidated Fund to the Civil Contingencies Fund.

1.—(1) With a view to providing working capital for the purposes of exchange operations and undertakings for the manufacture, purchase, and sale of food and other commodities, conducted by or under Government Departments on account of exigencies arising out of the present war, and to providing funds for making advances in respect of urgent services in

anticipation of the provision made or to be made by Parliament for such services becoming available, the Treasury may issue out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, to the Civil Contingencies Fund such sums as may from time to time be required for the purpose of increasing temporarily the capital of that fund:

Provided that—

(*a*) the sums so issued shall not exceed one hundred and twenty million pounds;

(*b*) no sums shall be so issued after the thirty-first day of March nineteen hundred and twenty;

(*c*) any sums so issued shall be repaid to the Exchequer not later than the thirtieth day of September nineteen hundred and twenty.

(2) In cases where advances of working capital are made from the Civil Contingencies Fund for the purposes aforesaid, the Treasury shall from time to time lay before Parliament Minutes specifying the purposes for which the working capital has been provided and the amount advanced in each case.

2. This Act may be cited as the Civil Contingencies Fund Act, 1919. Short title.

CHAPTER 7.

An Act to extend, amend and prolong the duration of the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915, and the enactments amending that Act. [2nd April 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the authority of the same, as follows:

1. The Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915 (hereinafter referred to as the "principal Act"), and the enactments amending that Act, shall continue in force until Lady Day nineteen hundred and twenty-one, but during the period (hereinafter referred to as "the extended period") between the time when but for this Act the principal Act would have expired and the said Lady Day the principal Act shall have effect subject to the modifications contained in the two next succeeding sections. Prolongation of duration of principal Act. 5 & 6 Geo. 5. c. 97.

2.—(1) An increase in the rent of a dwelling-house to which the principal Act applies payable in respect of the extended period or any part thereof which would but for the principal Act be recoverable, shall be recoverable if or so far as Limited power of increasing rents during the extended period.

the amount of the increase does not exceed ten per centum of the standard rent:

Provided that no such increase shall be due or recoverable if the sanitary authority of the district in which the house is situate on the application of the tenant certifies that the house is not reasonably fit for human habitation or is not kept in a reasonable state of repair, nor in any case until or in respect of any period prior to the expiry of four clear weeks after the landlord has served upon the tenant a notice in writing of his intention to increase the rent, and informing the tenant of his right to apply to the sanitary authority for such a certificate as aforesaid.

(2) On any such application to a sanitary authority a fee of one shilling shall be payable, but if the authority, as a result of the application, issues such a certificate as aforesaid the tenant shall be entitled to deduct the amount of the fee from any subsequent payment of rent.

(3) The increase of rent permitted by this section shall be in addition to any increase permitted by section one of the principal Act.

Limited power of increasing rate of mortgage interest.

3. Nothing in the principal Act shall prevent an increase in the rate of interest payable in respect of the extended period on a mortgage to which the principal Act applies, if the increase does not exceed one half per centum per annum, and the rate when so increased does not exceed five per centum per annum, and subsection (4) of section one of the principal Act shall apply as if the reference therein to the standard rate included a reference to such increased rate.

Extension of principal Act to higher-rented houses.

4. As from the passing of this Act, the principal Act and the enactments amending that Act shall extend to houses or parts of houses let as separate dwellings where such letting does not include any land other than the site of the dwelling-house and a garden or other premises within the curtilage of the dwelling-house, and where—

(*a*) in the case of a house situated in the metropolitan police district, including the City of London, both the annual amount of the standard rent and the rateable value of the house or part of the house exceed thirty-five pounds, and neither exceeds seventy pounds;

(*b*) in the case of a house situated in Scotland, both the annual amount of the standard rent and the rateable value of the house or part of the house exceed thirty pounds, and neither exceeds sixty pounds;

(*c*) in the case of a house situated elsewhere, both the annual amount of the standard rent and the rateable value of the house or part of the house exceed twenty-six pounds, and neither exceeds fifty-two pounds;

and shall also extend to mortgages (not being mortgages to which the principal Act as originally enacted applies), where

the mortgaged property consists of or comprises one or more of such dwelling-houses as aforesaid or any interest therein, subject, however, to the exceptions mentioned in subsection (4) of section two of the principal Act, but in the application to those houses and mortgages the principal Act and the enactments amending that Act shall have effect, subject to the following modifications:—

(i) for subsection (1) of section one of the principal Act, exclusive of the provisoes to that subsection, the following provisions shall be substituted:—

Where the rent of a dwelling-house to which this Act applies or the rate of interest on a mortgage to which this Act applies has been since the twenty-fifth day of December nineteen hundred and eighteen, or is hereafter increased and such increase would apart from this Act have been recoverable, then, if the increased rent exceeds by more than ten per centum the standard rent, or the increased rate of interest exceeds by more than one half per centum per annum the standard rate, the amount of such excess above the said ten per centum or one half per centum, as the case may be, shall, notwithstanding any agreement to the contrary, be irrecoverable from the tenant or the mortgagor, as the case may be, and, if paid, may be recovered by the tenant or mortgagor in the manner and subject to the provisions of subsection (1) of section five of the Courts (Emergency Powers) Act, 1917; 7 & 8 Geo. 5. c. 25.

(ii) in proviso (i) to subsection (1) and subsections (2) and (4) of section one of the principal Act the fourth day of March nineteen hundred and nineteen shall be substituted for the twenty-fifth day of November nineteen hundred and fifteen;

(iii) in subsection (3) of section one of the principal Act references to the date of the passing of the principal Act shall be construed as references to the date of passing of this Act;

(iv) in subsection (4) of section one of the principal Act for the reference to the standard rate there shall be substituted a reference to the rate permitted by this section;

(v) at the end of paragraph (*a*) of subsection (1) of section two of the principal Act there shall be inserted the following proviso:—

Provided that, if the rateable value of the dwelling-house on the said third day of August exceeds the standard rent as so defined, that rateable value shall, as respects that house, be deemed to be the standard rent.

Minor amendments of the principal Act

5.—(1) A landlord of a house to which the principal Act, either as originally enacted or as extended by this Act, applies shall, on being so requested by the tenant of the house, furnish to him a statement as to what is the standard rent of the house, and if he fails within fourteen days to do so, or furnishes a statement which is false in any material particular, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding ten pounds.

(2) Where a person who has, since the thirtieth day of September nineteen hundred and seventeen, purchased a house to which the principal Act, either as originally enacted or as extended by this Act, applies, requires the house for his own occupation or that of some person in his employ, or in the employ of some tenant from him, nothing in the Increase of 8 Geo. 5. c. 7. Rent, &c. (Amendment) Act, 1918, shall be construed as preventing the court from making an order for the recovery of possession of the house, if, after considering all the circumstances of the case, including especially the alternative accommodation available for the tenant, the court considers it reasonable to make such an order.

(3) The principal Act, both as originally enacted and as extended by this Act, shall have effect as if in proviso (vi) to subsection (1) of section one of that Act after the word "until" there were inserted the words "or in respect of any period prior to."

(4) Any rooms in a dwelling-house the subject of a separate letting as a dwelling shall, for the purposes of the principal Act and this Act, be treated as a part of a house let as a separate dwelling.

Limitation on rent of houses let furnished.

6.—(1) Where the occupier of a dwelling-house to which the principal Act, either as originally enacted or as extended by this Act, applies, lets, or has, before the passing of this Act, let the house or any part thereof at a rent which includes payment in respect of the use of furniture, and it is proved to the satisfaction of the county court on the application of the lessee that the rent charged yields to the occupier a profit more than twenty-five per centum in excess of the normal profit as hereinafter defined, the court may order that the rent, so far as it exceeds such sum as would yield such normal profit and twenty-five per centum, shall be irrecoverable, and that the amount of any payment of rent in excess of such sum which may have been made in respect of any period after the passing of this Act, shall be repaid to the lessee, and, without prejudice to any other method of recovery, may be recovered by him by means of deductions from any subsequent payments of rent.

(2) For the purpose of this section "normal profit" means the profit which might reasonably have been obtained from a similar letting in the year ending on the third day of August, nineteen hundred and fourteen.

Amendment of definition of standard rent.

7. At the end of paragraph (*a*) of subsection (1) of section two of the principal Act, the following words shall be inserted:—

Provided that, in the case of any dwelling-house let at a progressive rent payable under a tenancy agreement or lease, the maximum rent payable under such tenancy agreement or lease shall be the standard rent.

Exception of new houses.

8. Neither the principal Act nor this Act shall apply to houses erected after or in course of erection at the passing of this Act.

Application of Act to Scotland. 60 & 61 Vict. c. 38.

9. In the application of this Act to Scotland—

(*a*) the twenty-eighth day of May shall be substituted for Lady Day and the local authority under the Public Health (Scotland) Act, 1897, shall be substituted for the sanitary authority;

(*b*) as from the commencement of the extended period the principal Act shall be amended by the insertion in proviso (iv) of subsection (1) of section one, after the word "dwelling-house" where first occurring therein, of the words "or where by the law of Scotland owners' rates are chargeable on the landlord of any dwelling-house."

Application of Act to Ireland.

10. In the application of this Act to Ireland—

(*a*) the first day of May shall be substituted for Lady Day in the case of tenancies where the former day is the gale day;

(*b*) the medical officer of health of a dispensary district shall be substituted for the sanitary authority in section two of this Act, and the issue of certificates and the payment of fees in connexion with applications by tenants under the said section shall be subject to regulations to be made by the Local Government Board for Ireland.

Short title and construction.

11. This Act may be cited as the Increase of Rent and Mortgage Interest (Restrictions) Act, 1919, and shall be construed as one with the principal Act.

CHAPTER 8.

An Act to amend the Representation of the People Act, 1918, with respect to the mode of payment of the charges of returning officers. [16th April 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Charges of returning officers' expenses on consolidated fund.

1. The amount of the charges of returning officers at parliamentary elections (other than university elections) shall, instead of being paid out of moneys provided by Parliament, be charged on and paid out of the consolidated fund or the growing produce thereof; and accordingly subsection (2) of section twenty-nine of the Representation of the People Act, 1918, shall have effect as though for the words "shall be paid by the Treasury out of moneys provided by Parliament" there were substituted the words "shall be charged on and paid out of the consolidated fund or the growing produce thereof."

8 Geo. 5. c. 64.

Short title and commencement.

2. This Act may be cited as the Representation of the People (Returning Officers' Expenses) Act, 1919, and shall come into operation on the first day of April nineteen hundred and nineteen; and the Representation of the People Acts, 1918, and this Act may be cited together as the Representation of the People Acts, 1918 and 1919.

CHAPTER 9.

An Act to amend and regulate procedure under the Intestate Husband's Estate (Scotland) Act, 1911.

[16th April 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application to court by widow in right of estate under the Intestate Husband's Estate (Scotland) Act, 1911.

1 & 2 Geo. 5. c. 10.

1. Where a widow is entitled to the whole or part of the estate of her deceased husband, in terms of the Intestate Husband's Estate (Scotland) Act, 1911 (in this Act referred to as "the principal Act"), she may present in the sheriff court of the county in which her husband was domiciled at the time of his death, or, if the county in which he was so domiciled is uncertain, in the sheriff court of the Lothians and Peebles at Edinburgh, a summary application in the form of the schedule to this Act, or as nearly in such form as the circumstances of the case permit, appending an inventory giving such particulars of the estate as are indicated in the form of inventory in the said schedule.

Procedure in application to court.

2. The sheriff shall order intimation of any application made under the preceding section and of the relative inventory to be given to the heir-at-law of the intestate, if the estate shall partly or wholly consist of heritage, and to the heirs in mobilibus of the intestate if the estate shall partly or wholly consist of moveables; and upon being satisfied after such inquiry as he deems proper that the applicant is entitled under the principal Act to the whole or part of such estate, he shall pronounce

decree as hereinafter provided. Provided that, in any case where the heir-at-law or heirs in mobilibus of the intestate is or are unknown and cannot, after such inquiry as the sheriff thinks fit, be ascertained, the sheriff may dispense with intimation accordingly.

Effect of decree of court.

3.—(1) If the sheriff in any such application determines that the total net value of the estate does not exceed the sum of five hundred pounds, he shall pronounce decree in favour of the applicant, declaring that the estate belongs absolutely and exclusively to her; and on a duly stamped inventory of the estate being lodged by her with the sheriff clerk, or in the case of the application being made in the sheriffdom of the Lothians and Peebles at Edinburgh with the commissary clerk, such decree shall be a sufficient warrant for issuing confirmation of the moveable estate in favour of the applicant as executrix dative qua relict; and on an extract of such decree containing a description of the heritable estate and of the heritable securities and the subjects contained therein, or having a schedule annexed thereto containing the particulars thereof as set forth in the inventory annexed to the initial writ, being recorded in the appropriate register of sasines, the applicant shall be held to be duly infeft in her own right in the heritable estate and heritable securities.

(2) If the sheriff in any such application determines that the net value of the estate exceeds the sum of five hundred pounds, he shall pronounce decree in favour of the applicant against the defender or the defenders jointly and severally as the case may be, for the sum of five hundred pounds part thereof absolutely and exclusively with interest in terms of the principal Act, and the applicant shall have right to recover such sum and interest from the executor dative of the intestate on the expiry of six months from the death of the intestate in so far as there may be any free moveable estate in his hands after payment of the intestate's debts and other proper charges and deductions, but such decree shall only operate against such defender or defenders to the extent by which he or they shall benefit by the succession, and an extract of such decree duly recorded in the appropriate register of sasines containing a description of the heritable estate, or having a schedule annexed thereto containing the particulars thereof as set forth in the inventory annexed to the initial writ, shall have the full legal force and effect to all intents and purposes of a duly recorded bond and disposition in security over the heritable estate for such sum of five hundred pounds and interest thereon from the date of death of the intestate at four per centum per annum until payment granted by the intestate in favour of the applicant and containing all usual and necessary clauses, including power of sale, and as if the intestate had been subject to no legal incapacity and had been infeft in the heritable estate at the date of his death, and as if the sum therein contained were due at

the date of recording the extract decree in the register of sasines: Provided always that the real security so constituted in favour of the applicant shall be postponed to all debts and obligations of the intestate.

Provided further that such decree shall only entitle the applicant to recover from the whole heritable and moveable estate of the intestate the sum of five hundred pounds in all with interest thereon in terms of section two of the principal Act and that such charge shall be borne and paid as between the heir at law and the representatives of the moveable estate of such intestate in accordance with section three of the principal Act.

(3) The sheriff to whom any such application is made shall decide for the purpose of jurisdiction any question with regard to the domicile of the intestate, and his decision shall be final and not subject to review.

Saving.

4. Nothing in this Act shall be held to supersede the existing law and practice relating to the delivery and recording of inventories and the lodgment of accounts of the estates of deceased persons and the payment of estate duty thereon, the whole rights of the Crown in regard to death duties remaining unaffected thereby.

Repeal.

5. Section five of the principal Act is hereby repealed.

Construction, citation, and extent.

6.—(1) This Act shall be read and construed together with the principal Act, and may be cited as the Intestate Husband's Estate (Scotland) Act, 1919; and the principal Act and this Act may be cited together as the Intestate Husband's Estate (Scotland) Acts, 1911 and 1919.

(2) This Act shall apply to Scotland only.

Section 1.

SCHEDULE.

FORM OF INITIAL WRIT.

Sheriffdom of *at*

A.B., residing at , widow of *C.D.* [*design him*], *pursuer*, against *E.F.* [*design him*] and *G.H.* [*design him*] (*or as the case may be*) *Defenders.*

The pursuer craves the court :—

To find and declare that her said husband died on or about the day of , intestate, survived by the pursuer, his widow, but leaving no lawful issue, and that he had at the

time of his death his ordinary or principal domicile in the county of ; [*or* that he was domiciled in Scotland, but his place of domicile there is uncertain]; that the net value of the whole heritable and moveable estate of the said *C.D.*, the particulars whereof are set forth in the inventory appended hereto, does not exceed the sum of five hundred pounds, and that the pursuer is entitled thereto absolutely and exclusively in terms of section one of the Intestate Husband's Estate (Scotland) Act, 1911, [*or in cases where the estate exceeds five hundred pounds in value, substitute the words* exceeds the sum of five hundred pounds, and that the pursuer is entitled to five hundred pounds part thereof absolutely and exclusively, in terms of section two of the Intestate Husband's Estate (Scotland) Act, 1911, with interest thereon from (*date of death*) at four *per centum per annum* until payment and to grant a decree against the defender (*or* against the defenders jointly and severally) for payment to the pursuer of five hundred pounds sterling with interest at the before-mentioned rate from the said (*date of death*) until payment] and, in the event of the defender (*or* defenders or any of them) opposing this application, to find him (*or* them) liable in expenses.

[*To be signed A.B.* pursuer.
(*or*) *X.Y.* [*add designation and business address*] pursuer's agent.]

CONDESCENDENCE.

1. The late *C.D.* [*design him*] died on or about the day of , and had at the time of his death his ordinary or principal domicile in the county of (*as the case may be*).

2. The said *C.D.* died intestate, survived by the pursuer, his widow, but leaving no lawful issue.

3. The net value of his whole estate, the particulars whereof are set forth in the inventory annexed hereto, does not exceed [*or* exceeds] five hundred pounds.

4. The heir-at-law, and the heirs *in mobilibus* of the intestate, so far as known to the pursuer, are [*here give particulars*] who are called as defenders.

Note.—If there be no heritable estate, it is unnecessary to call or state the heir-at-law; if there be no moveable estate, it is unnecessary to call or state the heirs *in mobilibus*.

FLEA-IN-LAW.

The pursuer as widow of the deceased *C.D.* being entitled to the whole estate of her said husband [*or* to five hundred pounds part of the estate of her said husband] is entitled to decree as craved.

In respect whereof,
[*To be signed by pursuer or her agent.*]

INVENTORY OF THE HERITABLE AND MOVEABLE ESTATE REFERRED TO IN THE FOREGOING INITIAL WRIT.

Heritable Estate.

	£	s.	d.
Dwelling-house, No. Street, Portobello, in the county of Edinburgh [*here describe the subjects at length or by reference in competent form*], valued at - - - - - -			
Less principal sum secured by bond and disposition in security thereon granted by the said *C.D.*, in favour of *I.J.*, dated and recorded in [*give date of bond and date of recording and register*] - -			
Net value - - -			
[*Add particulars of any other heritable estate*] -			
Total heritable estate -			

Note.—If the intestate was not infeft in any part or parts of the heritable estate, deduce his title from the person last infeft at the end of the description of such part or each of such parts respectively.

Moveable Estate.

	£	s.	d.
Cash in the house - - - - -			
Household furniture and other effects - -			
Stock-in-trade and other effects - - -			
Sum in bank with interest to date of death, viz. [*give particulars*] - - - - -			
Bond and disposition in security dated and recorded in [*give date of bond and date of recording and register*], granted by *K.L.* in favour of the said *C.D.*, over house, No. Street in the burgh or county of [*here describe the subjects at length or by reference in competent form*], for the sum of - - - -			
[*Add particulars of any other moveable estate*] -			
Total moveable estate -			

Debts and Funeral and Executory Expenses and Death Duties.

	£	s.	d.
Debts due by deceased [*give particulars*] - -			
Funeral and Executry expenses [*give particulars*] -			
Estate duty - - - - - - -			
Total debts, &c. - -			

Abstract.

	£	s.	d.
Value of heritable estate - - - -			
Value of moveable estate - - - -			
Total - - -			
Deduct debts, &c. - -			
Net value of estate - -			

[*To be signed by pursuer or her agent.*]

CHAPTER 10.

An Act to repeal the Parliamentary Elections (Soldiers) Act, 1847. [16th April 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Parliamentary Elections (Soldiers) Act, 1847 (which provides for the regulation of the stations of soldiers during parliamentary elections), is hereby repealed, and this repeal shall be deemed to have had effect as from the tenth day of December nineteen hundred and eighteen. Repeal of 10 & 11 Vict. c. 21.

2. This Act may be cited as the Parliamentary Elections (Soldiers) Act, 1919. Short title.

CHAPTER 11.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army. [16th April 1919.]

WHEREAS the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's Crown, and that the whole number of such forces should consist of two million six hundred and fifty thousand, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but

exclusive of the numbers actually serving within His Majesty's Indian possessions:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet, nevertheless, it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert His Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

44 & 45 Vict. c. 58.

And whereas the Army Act will expire in the year one thousand nine hundred and nineteen on the following days:—

(*a*) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of July:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Army (Annual) Act, 1919.

Army Act to be in force for specified times.

2.—(1) The Army Act shall be and remain in force during the periods hereinafter mentioned, and no longer,* unless otherwise provided by Parliament (that is to say):—

(*a*) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand nine hundred and nineteen to the thirtieth day of April one thousand nine hundred and twenty, both inclusive; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of July one thousand nine hundred and nineteen to the thirty-first day of July one thousand nine hundred and twenty, both inclusive.

(2) The Army Act, while in force, shall apply to persons subject to military law, whether within or without His Majesty's dominions.

(3) A person subject to military law shall not be exempted from the provisions of the Army Act by reason only that the number of the forces for the time being in the service of His Majesty, exclusive of the marine forces, is either greater or less than the number hereinbefore mentioned.

Prices in respect of billeting.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act the prices specified in the schedule to this Act.

AMENDMENTS OF THE ARMY ACT.

Amendment of s. 42 of Army Act.

4. In section forty-two of the Army Act (which relates to the mode of complaint by officers), after the words "examine into such complaint, and" there shall be inserted the words ("if so required by the officer").

Amendment of s. 46 of Army Act.

5. In subsection (1) of section forty-six of the Army Act (which relates to the proceedings upon investigation of a charge), after the words "for bringing the offender to court-martial," there shall be inserted the words "or, in the case of an officer "below the rank of field officer, may refer the case to be dealt "with summarily by a general officer under the provisions of "this Act."

Power to deal summarily with charges against officers.

6. After section forty-six of the Army Act the following section shall be inserted:—

"46A.—(1) Any of the following authorities shall have power to deal summarily with a charge against an officer below the rank of field officer referred for that purpose, or for trial by court-martial, under the foregoing section of this Act, that is to say, any general officer authorised to convene a general court-martial, and also, on active service, the General Officer Commanding-in-Chief in the Field, and any officer (not under the rank of major-general) appointed for the purpose by him, or by the Army Council.

(2) The authority having power to deal summarily with the case may, with or without hearing the evidence, dismiss the charge, if he in his discretion thinks that it ought not to be proceeded with, or, where he thinks the charge ought to be proceeded with, take steps for bringing the offender to a court-martial, or may, after hearing the evidence, deal with the

case summarily by awarding one or more of the following punishments:—

(*a*) Forfeiture of seniority of rank either in the army or in the corps to which the offender belongs, or in both.

(*b*) Severe reprimand or reprimand.

(3) Where the authority having power to deal summarily with the case considers that he may so deal with the case, he shall, unless he awards a severe reprimand, or a reprimand, in every case ask the officer charged whether he desires to be dealt with summarily or to be tried by a court-martial, and if the officer elects to be tried by a court-martial, take steps for bringing him to trial by a court-martial, but otherwise shall proceed to deal with the case summarily.

(4) In every case where an authority has power to dispose of a case summarily, and decides so to do, the accused officer may demand that the evidence against him should be taken on oath, and the same oath or solemn declaration as that required to be taken by witnesses before a court-martial shall be administered to each witness in such case.

(5) An offender shall not be liable to be tried by court-martial for any offence which has been dealt with summarily under this section, and shall not be liable to be punished by a general officer under this section for any offence of which he has been acquitted or convicted by a competent civil court or by a court-martial."

Amendment of s. 114 of Army Act with respect to lists of horses.

7. Section one hundred and fourteen of the Army Act (which provides for the preparation of an annual list of persons liable to supply carriages and animals) shall be amended as follows:—

In subsection (1A) the second paragraph shall be omitted.

After subsection (1A) the following subsection shall be inserted:—

"(1B) With respect to horses, the following provisions shall have effect—

(i) it shall be the duty of the owner of any horse, and the occupier of any premises where horses are kept, to furnish, if so required, to the authority hereinafter mentioned before such date in each year as may be prescribed a return specifying the number of horses belonging to him or kept on his premises, and giving with respect to every horse such details as may be so prescribed; he shall also afford all reasonable facilities for enabling any horse belonging to him or kept on his premises to be inspected and examined as and when required by the said authority; if any person fails to comply with any of the requirements of this paragraph, he shall be liable on summary conviction for each offence to a fine not exceeding fifty pounds;

(ii) the Army Council may, for the purposes of this subsection, make regulations prescribing anything which under this subsection is to be prescribed, and prescribing the forms to be used, and generally for the purpose of carrying this subsection into effect;

(iii) regulations made by the Army Council may provide for excepting from the provisions of this subsection horses of any class or description specified in the regulations."

After subsection (3) the following subsection shall be inserted:—

"(3A) If any officer is obstructed in the exercise of his powers under this section, a justice of the peace may, if satisfied by information on oath that the officer has been so obstructed, issue a search warrant authorising the constable named therein, accompanied by the officer, to enter the premises in respect of which the obstruction took place at any time between six o'clock in the morning and nine o'clock in the evening, and to inspect any carriages or animals that may be found therein."

For subsection (4) there shall be substituted the following subsection:—

"(4) The authority for the purposes of this section shall be the Army Council or any authority or persons to whom the Army Council may delegate their powers under this section."

Amendment of s. 115 of Army Act.

8. At the end of section one hundred and fifteen of the Army Act (which provides for the supply of carriages and animals in case of emergency) the following subsection shall be inserted:—

"(10) A requisition of emergency issued under this section may prohibit, during such period as may be specified in the requisition, the sale and purchase of horses to or by any person other than a person appointed by the Army Council to purchase horses; and if any person sells or purchases or is concerned in the sale or purchase of a horse in contravention of such prohibition, he shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both such imprisonment and fine."

Amendment of s. 131 of Army Act.

9. The following provision shall be added at the end of subsection (2) of section one hundred and thirty-one of the Army Act (which provides for arrangements as to prisons with colonial governments)—

"Notwithstanding anything in this Act, a Secretary of State may arrange with the Governor of a Colony that any person or class of persons enlisted in the Colony shall, if sentenced under this Act to penal servitude, be transferred to or kept in the

Colony and there undergo his sentence in any prison or place in which persons sentenced to penal servitude by a civil court in the Colony can for the time being be confined or, if there be no such prison or place, in an authorised prison as defined by section sixty-five of this Act."

Retrospective effect of increased rates of deduction under s. 145 of the Army Act.

10.—(1) Where an order had, before the commencement of the Army (Annual) Act, 1918, been made under section one hundred and forty-five of the Army Act authorising deductions from pay, a further order may be made increasing the amount of the deduction to be made after the commencement of this Act under the former order up to the limit authorised by section ten of the Army (Annual) Act, 1918.

8 Geo. 5. c. 6.

(2) This section shall, notwithstanding anything in section fourteen of the Army (Annual) Act, 1904, come into operation, both within the British Islands and elsewhere, on the passing of this Act.

4 Edw. 7. c. 5.

Amendment of s. 153 of Army Act.

11. Section one hundred and fifty-three of the Army Act (which imposes a punishment for inducing soldiers to desert) shall be amended as follows:—

(*a*) For the words "any soldier," "a soldier," and "such soldier," wherever those words occur, there shall be substituted respectively the words "any officer or soldier," "an officer or soldier," and "such officer or soldier":

(*b*) After the word "desert," wherever that word occurs, there shall be inserted the words "or absent himself without leave," after the word "deserting" there shall be inserted the words "or absenting himself without leave," and after the word "deserter" there shall be inserted the words "or absentee without leave."

Amendment of s. 156 of Army Act.

12. Subsection (1) of section one hundred and fifty-six of the Army Act (which imposes penalties in respect of the sale of military necessaries) shall be amended as follows:—

(1) For the words "an officer or soldier or any person acting on his behalf" in paragraph (*a*), and for the words "an officer or soldier" in paragraphs (*b*) and (*c*) there shall be substituted the words "any person":

(2) After the words "or clothing" there shall be inserted the words "issued for the use of officers or soldiers":

(3) For the words "or of the person with whom he dealt "being or acting for a soldier, or that the same "was sold by order of the Army Council or some "competent military authority," there shall be substituted the words "or that the same was sold "by order or with the consent of the Army Council, "or some competent military authority, or that the "same was the personal property of an officer who

" had retired or ceased to be an officer, or of a soldier
" who had been discharged, or of the legal personal
" representatives of an officer or soldier who had
" died."

In subsection (2) of section one hundred and fifty-six of the Army Act, for the words "to a penalty not exceeding five pounds" there shall be substituted the words "to the same " penalties as are prescribed in the case of a contravention of " the last preceding subsection."

13. After section one hundred and fifty-six of the Army Act, the following section shall be inserted :—

"156A. If—

Unauthorised use of decorations, &c.

(*a*) any unauthorised person uses or wears any military decoration or medal, or medal ribbon, or any badge, wound stripe, or emblem supplied or authorised by the Army Council, or any decoration, medal, or medal ribbon, badge, wound stripe or emblem so nearly resembling the same as to be calculated to deceive ; or

(*b*) any person falsely represents himself to be a person who is or has been entitled to use or wear any such decoration, medal, or medal ribbon, badge, wound stripe, or emblem as aforesaid ; or

(*c*) any person without lawful authority or excuse supplies or offers to supply any such decoration or medal as aforesaid to any person not authorised to use or wear the same ;

such person shall be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months :

Provided that nothing in this section shall be deemed to prohibit the wearing or supply of ordinary regimental badges or any brooch or ornament representing the same."

Amendment of s. 163 of Army Act.

14. In paragraph (*j*) of subsection (1) of section one hundred and sixty-three of the Army Act the words "or by whom the arrest" and the words "or arrest" shall be omitted.

15. The following paragraph shall be substituted for paragraph (3A) of section one hundred and seventy-five of the Army Act.

Amendment of s. 175 of Army Act.

"(3A) Officers of the territorial force, other than members of the permanent staff, if on the active list at all times, and if on the territorial force reserve, at any time when they are doing duty with any body of troops for the time being subject to military law or are ordered on any duty or service for which as such reserve officers they are liable."

Amendment of s. 179A of Army Act.

16.—(1) Section one hundred and seventy-nine A of the Army Act (which makes provision as to officers or airmen of the Air Force attached to or seconded for service with the regular forces) shall be amended as follows:—

Paragraphs (*a*) and (*b*) of subsection (2) shall be omitted.

The following paragraph shall be substituted for paragraph (*c*) of subsection (2):—

"(*c*) the finding and sentence of any general court-martial for the trial of any such officer or airman may be confirmed by His Majesty, or by an officer authorised to confirm the findings and sentences of general courts-martial under the Air Force Act, and not otherwise, except that when such officer or airman while subject to this Act is serving beyond the seas with a military force, and in the opinion of the general or other officer commanding that force (such opinion to be stated in the confirmation and to be conclusive) there is not present any officer authorised to confirm the findings and sentences of general courts-martial under the Air Force Act, the findings and sentences may be confirmed by a general or other officer authorised to confirm findings and sentences of general courts-martial under this Act."

After paragraph (*f*) the following paragraph shall be inserted:—

"(*g*) The power of a court-martial to inflict on an officer the punishment of forfeiture of seniority of rank shall include power to inflict a punishment of forfeiture of seniority of rank in the air force or any corps or unit thereof or both."

At the end of the section the following new section shall be inserted:—

"179B. In the application of this Act to officers of His Majesty's naval forces who are subject to military law, the power of a court-martial to inflict the punishment of forfeiture of seniority of rank shall include power to inflict the punishment of forfeiture of seniority of rank in the navy."

(2) The finding and sentence of any court-martial convened before the commencement of this Act, under section one hundred and seventy-nine A of the Army Act, may, after that date, be confirmed in the manner provided for by this Act.

Amendment of s. 180 of Army Act.

17. In paragraph (*e*) of subsection (2) of section one hundred and eighty of the Army Act (which relates to the application of the Army Act to His Majesty's Indian Forces) after the words "court martial" there shall be inserted the words "or where the case is dealt with summarily under the provisions of this Act, the authority having power so to deal with the case."

18.—(1) In paragraph (4) of section one hundred and ninety of the Army Act (being the definition of "officer") after the words "or part thereof" where they occur for the third time, there shall be inserted the following words:— Amendment of s. 190 of Army Act.

"it also includes any officer of His Majesty's naval or air forces who is for the time being subject to military law."

(2) This section shall, notwithstanding anything in section fourteen of the Army Annual Act, 1904, come into operation, both within the British Islands and elsewhere, on the passing of this Act.

SCHEDULE.

Section 3.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where meals furnished.	Sixpence per night.
Breakfast as specified in Part I. of the Second Schedule to the Army Act.	Sixpence each.
Dinner as so specified - - - - -	One shilling and twopence each.
Supper as so specified - - - - -	Fourpence each.
Where no meals furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Sixpence per day.
Stable room and ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	Two shillings and fourpence per day.
Stable room without forage - - - -	Sixpence per day.
Lodging and attendance for officer - - -	Two shillings per night.

Note.—An officer shall pay for his food.

CHAPTER 12.

An Act to facilitate the administration of War Charities in Scotland. [16th April 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power of the Local Government Board for Scotland to sanction schemes. 6 & 7 Geo. 5. c. 43.

1. Where, in the opinion of the committee or other governing body of any war charity in Scotland within the meaning of the War Charities Act, 1916, the funds or property belonging to such charity can no longer be usefully applied to the purposes or any of them for which such funds or property were subscribed or acquired, such committee or governing body may frame a scheme for the application of such funds or property to purposes as nearly similar as may be to those, or any of them, for which such funds or property were subscribed or acquired, or to other suitable purposes, either by such committee or governing body or by any institution, or society, or local authority, or body of persons to whom the scheme may propose to transfer the funds or property. The Local Government Board for Scotland may, after taking such steps as they think fit to ascertain the wishes of the subscribers to the funds or property, where reasonably practicable, sanction such scheme, or any amended scheme, submitted by the committee or governing body, and such funds or property shall be applied accordingly. Provided that where, in the opinion of the Board, the value of the funds or property exceeds one thousand pounds, the scheme shall be laid before each House of Parliament forthwith, if Parliament be sitting, or, if not, within one month after the commencement of the next ensuing session of Parliament, and, if such scheme shall be disapproved by either House of Parliament within one month, exclusive of any period of prorogation after the scheme has been laid before it, the said scheme shall be void and of no effect, but without prejudice to the framing of a further scheme.

Short title.

2. This Act may be cited as the War Charities (Scotland) Act, 1919.

CHAPTER 13.

An Act to amend section five of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, and section nine of the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890, as to expenses of candidates at local elections. [16th April 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Expenses of local elections. 47 & 48 Vict. c. 70. 53 & 54 Vict. c. 55.

1. Subsection (1) of section five of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, and subsection (1) of section nine of the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890 (which prescribe the maximum amount of the expenses of candidates), shall have effect, both as originally enacted and as applied by any other Act, as though "twopence for each elector" were substituted for "threepence for each elector."

Short title.

2. This Act may be cited as the Local Elections (Expenses) Act, 1919.

CHAPTER 14.

An Act to amend the enactments relative to compensation for Criminal Injuries in Ireland. [16th April 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of Criminal Injuries Acts

1.—(1) The provisions of the Criminal Injuries Acts with respect to the compensation of persons maimed and of the representatives of persons murdered in certain cases, shall, subject to the modifications made by this section, be extended so as to apply in any of the following cases, namely:—

(*a*) Where a judge, magistrate, police constable, member of the naval, military, or air forces or the civil service of the Crown has been murdered, maimed, or maliciously injured in his person in the execution of his duty or on account of his being, acting or having acted as a judge, magistrate, police constable, or member of such forces or service:

(*b*) Where any other person has been murdered, maimed, or maliciously injured in his person, and the murder, maiming or injury is a crime arising out of any combination of a seditious character or any unlawful association.

(2) An application for compensation in pursuance of this section may be made at any time within three months after the

murder, maiming, or injury, or, where the murder, maiming, or injury occurred before the passing of this Act, within three months after the passing of this Act, and any preliminary notices required to be served by or in pursuance of the said Acts may be served at any time not later than seven days before the making of the application.

The application may be made in the case of murder by the personal representative or any of the next-of-kin of the deceased, in the case of maiming or injuring by the person maimed or injured, and in any case by the Attorney General for Ireland or any person authorised in that behalf by him, and any compensation awarded in the case of murder shall be paid or distributed to or amongst such person or persons in such manner, shares, or proportions as the county court judge or judge of assize determines.

The application may be made either as against the council of the county in which the murder, maiming, or injury occurred or, at the option of the applicant, as against that council and the council or councils of any neighbouring county or counties, and in that event any compensation awarded may be apportioned by the county court judge or judge of assize as between the several county councils in such proportions as he thinks proper.

(3) The power of a county court judge or judge of assize to fix the area off which the compensation is to be levied shall include power to fix any one or more townlands or parishes, or sub-denominations thereof, as the area off which the compensation or any apportioned part thereof is to be levied, and to exempt from the levy any specified hereditaments within the area, and his power to make a decree for such sum as he thinks just and reasonable shall include power to make a decree for full compensation.

(4) Where a decree is made against a county council under this Act or under any of the enactments relative to compensation for criminal injuries the amount recovered against the council shall be payable by the council on demand, and the payment thereof may be enforced under subsection (1) of section eighty of the Local Government (Ireland) Act, 1898, whether the amount has or has not been raised or levied.

61 & 62 Vict. c. 37.

(5) The power to make rules of court for the purposes of section five of the Local Government (Ireland) Act, 1898, shall extend to the making of rules of court for the purposes of this section.

(6) This section shall not apply except where the murder, maiming, or injury occurred on or any time after the first day of January nineteen hundred and seventeen.

(7) In this section the expression "Criminal Injuries Acts" means the enactments specified or described in Part I. of the First Schedule to the Local Government (Ireland) Act, 1898,

and the expression "police constable" includes any member of the Royal Irish Constabulary or Dublin Metropolitan Police.

Recovery of certain medical expenses.

2.—(1) Where a decree is made against a county council on any application in pursuance of the last preceding section, if the person murdered, maimed, or injured has been attended by a registered medical practitioner or nurse on the direction of the Lord Lieutenant, the amount of the expenses certified by the Lord Lieutenant to have been incurred for, or in connection with, such attendance shall be paid by and recoverable from the county council as a debt due to the Crown, and in case of a decree made against two or more county councils such amount shall be apportioned between the councils in the like proportions as the compensation and the sum apportioned to each council shall be paid by and recoverable from the council as such a debt.

(2) Any sum payable by a county council under this section shall be levied off the same area as the sum payable by the council under the decree.

Short title and extent.

3. This Act may be cited as the Criminal Injuries (Ireland) Act, 1919, and shall apply to Ireland only.

CHAPTER 15.

An Act to make provision for the maintenance of such forces of the Crown as may be required to meet exigencies arising before the thirtieth day of April nineteen hundred and twenty, and with respect to the conditions of service of such forces, and for purposes connected therewith. [16th April 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to prolong period of naval, military, or air force service.

1.—(1) If the competent authority is of opinion that, as respects any men to whom this section applies or any class of such men, they cannot consistently with the public interest be released from actual service at the time when in pursuance of the terms of their service they would be entitled to be discharged, any such man may be retained and his service may be prolonged for such further period, not extending beyond the thirtieth day of April nineteen hundred and twenty, as the competent authority may order, but at the expiration of that period, or at any earlier date at which the competent authority

considers that he can be released, he shall be discharged with all convenient speed, but in no case later than three months after the thirtieth day of April nineteen hundred and twenty.

(2) The men to whom this section applies are men (not being soldiers of the regular forces serving on a pre-war attestation) who at the termination of the present war are in actual service in the naval, military, or air forces of His Majesty and whose term of actual service expires at the termination of the present war or before the said thirtieth day of April.

Continuation of certain provisions relating to terms of service.

2.—(1) Notwithstanding anything in section one of the Army (Transfers) Act, 1915, a soldier who in pursuance of that section has been transferred from one corps to another shall not until the said thirtieth day of April be entitled to be retransferred to the corps in which he was serving at the time when he was so transferred.

5 & 6 Geo. 5. c. 43. 5 & 6 Geo. 5. c. 104.

(2) Sections fourteen, fifteen, and sixteen of the Military Service Act, 1916 (Session 2), which relate to the transfer of officers and men of the territorial force, the constitution of corps of that force, and the liability of officers and men of that force to serve outside the United Kingdom, shall continue in force until the said thirtieth day of April.

5 & 6 Geo. 5. c. 23. 5 & 6 Geo. 5. c. 103.

(3) The Army (Suspension of Sentences) Acts, 1915 and 1916, both as originally enacted and as applied to the Air Force, shall, from the passing of this Act and until the said thirtieth day of April, apply to soldiers and airmen, whether employed on active service or not, and whether employed beyond the seas or not, and shall have effect as if references to imprisonment and prison included references to detention and detention barracks.

Interpretation, saving and short title.

3.—(1) In this Act, unless the context otherwise requires,—

The expression "competent authority" means in relation to the naval forces, the Admiralty, in relation to the military forces, the Army Council, and in relation to the air force, the Air Council;

The expression "naval forces" includes the marine forces;

The expression "actual service" means, in the case of the military forces, army service, or, as respects men of the territorial force, embodied service, and in the case of the air force, air-force service.

7 & 8 Geo. 5. c. 26.

(2) This Act shall not apply to any man to whom the Military Service Acts, 1916 to 1918, have been applied by virtue of the Military Service (Conventions with Allied States) Act, 1917.

(3) This Act may be cited as the Naval, Military, and Air Force Service Act, 1919.

CHAPTER 16.

An Act to make provision for the medical treatment of children attending Elementary Schools in Ireland, and for other matters incidental thereto. [29th May 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision of medical treatment, &c., for school children by local authorities.

1.—(1) It shall be the duty of a local authority, in the prescribed manner and subject to the prescribed conditions, to—

(*a*) provide for the medical inspection of children immediately before or at the time of or as soon as possible after their admission to an elementary school within the area of the local authority, and on such other occasions as may be prescribed;

(*b*) make arrangements for attending to the health and physical condition of children attending any such school; and

(*c*) so far as appears to them to be necessary or expedient for the purposes aforesaid, encourage and assist the establishment or continuance of voluntary agencies, and associate with themselves representatives of such agencies.

(2) In exercising their powers under this section a local authority shall act in accordance with regulations made by the Local Government Board and approved by the Treasury and the Commissioners of National Education in Ireland.

(3) Nothing in this Act shall be construed as imposing any obligation on a parent to submit his child to medical inspection or treatment, or as authorising a local authority to establish a general domiciliary service of treatment of children by medical practitioners.

(4) The council of each county and county borough shall be the local authority for the purposes of this Act:

Provided that, on the joint application of the council of any county and the council of any urban district therein having a population of not less than six thousand, the Local Government Board may by order direct that the council of the urban district shall be the local authority for that district, and thereupon the council of the urban district shall be the local authority for that district instead of the county council so long as the order continues in force.

(5) If the Local Government Board are satisfied, after such inquiry as they deem necessary, that the local authority has failed to perform all or any of the duties imposed on them by this Act, the Board may by order appoint some person or

persons to discharge the duties of the local authority, or such o those duties as may be specified in the order.

(6) Without prejudice to any other powers for enforcing the provisions of this Act from and after the making of any such order, and so long as it remains in force, the powers and duties of the local authority in relation to the said duties, or such of them as have not been performed by the local authority, shall be exercised and performed by the person or persons thereby appointed instead of by the local authority, and the remuneration and expenses of such person or persons as fixed by the Board shall be a debt due by the council to the Board, and shall be paid out of such rate or fund as the Board may determine.

(7) Any expenses incurred by a local authority in the execution of this Act, so far as not otherwise provided for, shall in the case of a county borough council or urban district council be paid as part of the expenses of the council under the Public Health (Ireland) Acts, 1878 to 1918, and in the case of a county council be paid out of the county fund and raised by means of the poor rate equally over the area for which the county council is the local authority. An amount not exceeding one half of the expenses certified by the Local Government Board to have been properly incurred by a local authority in the execution of this Act shall be paid to the local authority out of moneys provided by Parliament.

Interpretation, short title, and construction.

2.—(1) In this Act—

The expression "prescribed" means prescribed by regulations made under this Act;

The expression "parent" includes guardian and every person who is liable to maintain, or has the actual custody of, any child; and

The expression "elementary school" means—

(*a*) any national school; and

(*b*) any school recognised by the Local Government Board as providing efficient elementary education.

(2) This Act may be cited as the Public Health (Medical Treatment of Children) (Ireland) Act, 1919, and shall be construed as one with the Public Health (Ireland) Acts, 1878 to 1918, and may be cited with those Acts as the Public Health (Ireland) Acts, 1878 to 1919.

CHAPTER 17.

An Act to make further provision for superannuation and other allowances to Teachers in Scotland, and gratuities to their personal representatives, and for other purposes in connection therewith.

[29th May 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

New superannuation scheme.

1. The Department shall, as soon as may be after the passing of this Act, frame a superannuation scheme (in this Act called "the scheme") applicable to such teachers as shall be prescribed therein, including every teacher to whom the existing scheme applies at the passing of this Act.

Provisions of scheme relating to benefits and otherwise.

2.—(1) The scheme shall include provision—

(i) in the case of every teacher who at the appointed day is in receipt of a retiring allowance under the existing scheme, for the continued payment of the said allowance, and for the payment of such supplementary benefit as may be prescribed :

(ii) in the case of every other teacher to whom the scheme applies

(*a*) for the payment on retirement after attaining the prescribed age, or on retirement in case of permanent incapacity, of a retiring allowance (which may, if so prescribed, include a lump sum in addition to an annual allowance) not exceeding the prescribed proportion for each completed year of service in Scotland of the pensionable salary of the teacher, that is to say, the amount representing the average salary of the teacher, either throughout his service or during such number of years immediately preceding retirement as may be prescribed : Provided that a retiring allowance shall not be payable in respect of less than ten completed years of service ;

(*b*) for the payment on retirement in case of permanent incapacity, after service for a prescribed period less than ten years, of a gratuity not exceeding the prescribed proportion of the pensionable salary of the teacher ;

(*c*) where the teacher dies in service after completing the prescribed period of service, for the payment to his personal representatives of a

death gratuity of an amount calculated in the prescribed manner;

(*d*) for the return to the teacher of any contributions made by him to the existing superannuation fund:

(iii) For the disposal and application of the existing superannuation fund.

(2) For the purposes of this section, a teacher shall be deemed to be in receipt of a retiring allowance if the Department, after application made, have given direction for the payment of the allowance.

Further provisions of scheme.

3. The scheme shall make such other provision as appears necessary to carry out the purposes of this Act, and, without prejudice to the generality of this enactment, the scheme may provide—

61 & 62 Vict. c. 57.

(*a*) for the adjustment of existing interests under the Elementary School Teachers (Superannuation) Act, 1898, or the existing scheme;

(*b*) for the adjustment of retiring allowances, gratuities, or death gratuities in the case of teachers re-entering service after retirement therefrom;

(*c*) for the retirement from service at a prescribed age of teachers to whom the scheme applies;

(*d*) for the refusal, reduction, or suspension of any benefit in the case of any teacher who has been guilty of misconduct;

(*e*) for the protection of benefits against the diligence of creditors;

(*f*) for dispensing with the necessity for confirmation before payment of benefits to the personal representatives of a deceased teacher;

(*g*) for the final settlement by the Department of any questions which may arise as to the application of any part of the existing scheme or the scheme to any person, or as to the amount of any benefit, or as to the payment, refusal, reduction, or suspension of any benefit, or as to the return of any contribution to the existing superannuation fund, or as to the reckoning of any service;

(*h*) for the making by the Department of rules for carrying the scheme into effect;

(*i*) for applying, with such modifications as appear necessary, any provisions contained in any Act of Parliament or Provisional Order confirmed by Parliament dealing with superannuation, including any penal provisions thereof.

Payment of benefit in case of persons mentally disable l.

4. Where any person to whom any sum in respect of any benefit is payable is certified by a justice of the peace or minister of religion, and by a duly qualified medical practitioner,

to be unable by reason of mental disability to manage his affairs, the Department may pay the whole of the said sum, or so much thereof as they think fit, to the institution or person having the care of the disabled person, and may pay the remainder, if any, or such part thereof as the Department think fit, for or towards the maintenance and advantage of the wife or husband and relatives of the disabled person.

Power to governing bodies to fulfil conditions.

5. Notwithstanding any provisions regulating the trusts or management of a school, the governing body of the school shall have power to fulfil any conditions which may require to be fulfilled in order that employment as a teacher in that school may be recorded as service for the purposes of the scheme.

Payment into Education (Scotland) Fund.

8 Edw. 7. c. 63.

8 & 9 Geo. 5. c. 48.

6. In respect of the year commencing the first day of April one thousand nine hundred and nineteen, and every subsequent year, in addition to the sums payable out of the Local Taxation (Scotland) Account into the Education (Scotland) Fund under section fifteen of the Education (Scotland) Act, 1908, and the sums payable into that fund under subsection (1) of section twenty-one of the Education (Scotland) Act, 1918, there shall be paid into that fund out of moneys provided by Parliament eleven-eightieths of the amount of the sums estimated to be expended in the same year from the Vote for Education in England and Wales, so far as such sums represent sums spent on the superannuation of teachers: Provided that, if the amount of the sums actually expended in any year from the Vote for Education in England and Wales on the superannuation of teachers, as shown by the Appropriation Account, exceeds or falls short of the corresponding estimate, the sum to be paid into the Education (Scotland) Fund in terms of this section in the year commencing the first day of April next following the day on which such Appropriation Account is presented to Parliament shall be increased or diminished, as the case may be, by eleven-eightieths of the difference between such expenditure and estimate.

Provision for expenses.

7. The expenses (other than administrative expenses) incurred by the Department in carrying this Act and the scheme into effect shall be defrayed out of the Education (Scotland) Fund or the existing superannuation fund.

Approval and effect of scheme.

8.—(1) The scheme when framed by the Department shall be forthwith laid before each House of Parliament, if Parliament be sitting, or, if not, then within three weeks after the commencement of the next ensuing session of Parliament, and if neither House of Parliament within one month, exclusive of any period of prorogation, after the scheme has been laid before it presents an Address praying His Majesty to withhold His assent from such scheme, or any part thereof, His Majesty may by Order in Council approve of the same, or any part thereof to which such Address

does not relate. The presentation of an Address as aforesaid shall be without prejudice to the making of a further scheme.

(2) The scheme may be amended by a subsequent scheme made and approved in like manner.

(3) Any scheme approved by Order in Council under this section shall, as from the date prescribed in such Order, be of the same force as if it were enacted in this Act: Provided that the date so prescribed may, as regards the operation of the whole or any part of the scheme, be a date prior to the date of such Order in Council or to the date of the passing of this Act.

Interpretation.

9. In this Act, unless the context otherwise requires—

(1) The expression "the scheme" means the superannuation scheme made by the Department in pursuance of this Act;

(2) The expression "the existing scheme" means the superannuation scheme for teachers made by the Department in pursuance of section fourteen of the Education (Scotland) Act, 1908;

(3) The expression "the existing superannuation fund" means the Scottish Teachers Superannuation Fund established in accordance with the said section;

(4) The expression "benefit" includes any retiring allowance, additional annual payment or lump sum, gratuity, death gratuity, or return of contributions under the existing scheme or the scheme, as the case may be;

(5) The expression "the appointed day" means the day on which the scheme or any part thereof comes into force;

(6) The expression "prescribed" means prescribed by the scheme;

(7) Other expressions not specially defined in this Act shall have the meaning assigned thereto in the scheme.

Repeal.

10. As from the appointed day—

(*a*) the existing scheme shall cease to be in force;

(*b*) the enactments mentioned in the schedule to this Act shall be repealed to the extent specified in the third column of that schedule.

Extent, citation and construction.

11.—(1) This Act shall extend to Scotland only.

(2) This Act may be cited as the Education (Scotland) (Superannuation) Act, 1919, and the Education (Scotland) Acts, 1872 to 1918, and this Act may be cited as the Education (Scotland) Acts, 1872 to 1919, and shall, so far as is consistent with the tenor thereof, be construed together as one Act.

SCHEDULE.

ENACTMENTS REPEALED. Section 10.

Session and Chapter.	Short Title.	Extent of Repeal.
61 & 62 Vict c. 57.	The Elementary School Teachers (Superannuation) Act, 1898.	The whole Act so far as it relates to Scotland.
8 Edw. 7. c. 63.	The Education (Scotland) Act, 1908.	Section fourteen, so far as not already repealed. In paragraph (*e*) of subsection (1) of section sixteen, the words "as in this Act authorised."
2 & 3 Geo. 5. c. 12.	The Elementary School Teachers (Superannuation) Act, 1912.	The whole Act so far as it relates to Scotland.

CHAPTER 18.

An Act to extend the operation of the Wages (Temporary Regulation) Act, 1918, for a further period of six months. [29th May 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of 8 & 9 Geo. 5 c. 61.

1. The Wages (Temporary Regulation) Act, 1918, the operation of which is by section one thereof limited to a period of six months from the twenty-first day of November nineteen hundred and eighteen, shall, notwithstanding anything in that section, continue in operation until the twenty-first day of November nineteen hundred and nineteen.

Short title

2. This Act may be cited as the Wages (Temporary Regulation) Extension Act, 1919, and the Wages (Temporary Regulation) Act, 1918, and this Act may be cited together as the Wages (Temporary Regulation) Acts, 1918 and 1919.

CHAPTER 19.

An Act to amend further the Law relating to Local Government in Ireland and for other purposes connected therewith. [3rd June 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Proportional representation at local elections.

1.—(1) At a contested election of members of a local authority for any local electoral area constituted under this Act, any election of the full number of members for the area shall be according to the principle of proportional representation, each elector having one transferable vote as defined in this Act.

(2) For the purpose of forming electoral areas suitable for the application of the principle aforesaid, the Local Government Board shall by Order divide the several counties, boroughs, urban and rural districts, poor law unions and towns into local electoral areas so as to constitute—

(*a*) In every county, county electoral areas for the election of county councillors;

(*b*) In every rural district, district electoral areas for the election of rural district councillors;

(*c*) In every borough, borough electoral areas for the election of aldermen and councillors;

(*d*) In every urban district, not being a borough, district electoral areas for the election of urban district councillors;

(*e*) In so much of every union as is situated in an urban district, poor law electoral areas for the election of guardians; and

(*f*) In every town, town electoral areas for the election of town commissioners:

Provided that any urban district or town or so much of any union as is situated in an urban district may be constituted a single urban, town, or poor law electoral area, as the case may be.

(3) The number of members to be elected for each local electoral area shall be such as may be assigned thereto by Order of the Local Government Board, and in constituting the local electoral areas and assigning members thereto the Board shall, so far as practicable, secure—

(*a*) that the total number of members of any local authority other than a rural district council or board of guardians shall not be altered;

(*b*) that the number of members of a rural district council or board of guardians be reduced by one half at least;

(*c*) that the number of members assigned to the local electoral areas shall in each case be such as to give equal representation upon the basis of population;

(*d*) that the number of members assigned to any local electoral area shall not be less than six in the case of any borough electoral area and three in the case of any other local electoral area:

Provided that, if the council of any borough within the prescribed time submit to the Local Government Board a scheme for the division of the borough into borough electoral areas, and the assignment of members thereto, the Board shall, on being satisfied that the scheme has been published by the local authority in the prescribed manner, adopt the scheme except where and so far as they see good reason to the contrary.

(4) For the purposes of elections conducted according to the principle of proportional representation, the scale of election expenses fixed by any county council under Article 6 of the Schedule to the Local Government (Application of Enactments) Order, 1898, may be increased or otherwise altered by the Local Government Board, and as so altered shall have effect as if it had been made under that article by the county council with the approval of the Board.

(5) Except so far as is necessary for the purpose of forming local electoral areas, nothing in this section shall affect any existing district electoral divisions or wards, or the powers of the Local Government Board with respect thereto.

(6) The Local Government Board may by Order apply the provisions of this section with the necessary modifications to the election of the members of any kind of local body other than the local authorities mentioned in this section upon the application of the local body concerned.

Retirement of aldermen and certain councillors and town commissioners on next ordinary day of retirement.

2. On the ordinary day of retirement of aldermen, councillors, and commissioners in the year nineteen hundred and twenty all the aldermen and councillors for any borough and all the councillors for any other urban district, and all the commissioners for any town shall, notwithstanding any enactment to the contrary and notwithstanding any system of rotation in force, go out of office, and their places shall be filled by newly elected aldermen, councillors, and commissioners.

Triennial election of councillors and commissioners in certain urban districts and towns.

3. In every urban district not being a borough and in every town the councillors and commissioners shall all be elected triennially.

Triennial election of aldermen and councillors in boroughs.

4.—(1) In every borough the term of office of an alderman shall be three years, and, subject to the provisions of this section, the aldermen and councillors shall all be elected together triennially and shall retire together.

(2) At any election of the full number of aldermen and councillors for any borough electoral area the number of candidates to be elected shall be the aggregate of the number of aldermen and number of councillors assigned to the area, and, where a poll is taken, the first and every other candidate successively declared to be elected until the number of aldermen for the area is completed shall be alderman or aldermen for the area, and the remaining candidates declared to be elected shall be the councillors for the area.

(3) If there is no poll at any such election, such of the elected candidates for the borough electoral area as may be determined by the borough council shall be alderman or aldermen, and the remaining elected candidates shall be councillors for the borough electoral area, and the determination of the question which of the said candidates shall be alderman or aldermen shall be the first business to be transacted at the quarterly meeting of the borough council next after the election.

When the question has been determined, the elected candidates shall be deemed to have come into office as alderman or aldermen and as councillors respectively for the borough electoral area on the day next after the day of the election, and pending the determination of the question the said candidates shall be deemed to be members of the borough council and its powers and constitution shall not be prejudicially affected.

Date of triennial election and ordinary day of retirement in boroughs, other urban districts, and towns.

5. The first triennial elections after the passing of this Act of aldermen and councillors of boroughs, councillors of urban districts, and commissioners of towns shall be held on the ordinary day of election of councillors and commissioners in the year nineteen hundred and twenty, and the subsequent triennial elections shall be held on the ordinary day of election in each third subsequent year, and all the aldermen, councillors and commissioners who hold office on any such day shall retire together on the next following day which shall be the ordinary day of retirement of aldermen, councillors and commissioners, and the newly elected aldermen, councillors and commissioners shall (save as is otherwise provided in this Act) come into office on the ordinary day of retirement.

Alteration of date of elections of county councillors, rural district councillors, and guardians, and postponement of next elections.

6.—(1) The next triennial elections of county councillors, rural district councillors, and guardians in urban districts, instead of being held on the ordinary day of election in the year nineteen hundred and nineteen, shall be further postponed until the ordinary day of election in the year nineteen hundred and twenty, and the term of office of each existing councillor and guardian shall accordingly be further extended so as to expire on the day next after such day of election.

(2) In this section the expression "existing councillor and guardian" means a councillor or guardian holding office on the ordinary day of election in the year nineteen hundred and nineteen.

(3) Any provisions of any Act, Order, or regulations relating to county councillors, rural district councillors, or guardians, or to chairmen, vice-chairmen, deputy vice-chairmen, or committees of those bodies shall be construed as if they were modified in such manner as to give full effect to the provisions of this section.

(4) This section shall be deemed to have had effect as from the fifteenth day of April, nineteen hundred and nineteen, and accordingly any act, matter, or thing done or omitted by any county council, rural district council, or board of guardians, or by any member or officer thereof (including a returning officer), after that day and before the passing of this Act which would have been lawfully done or omitted if this section had then been in actual operation, shall be deemed to have been lawfully done or omitted, and any election of councillors or guardians held within the period aforesaid shall be deemed to be void, and each existing councillor and guardian shall be deemed to have continued in office notwithstanding that the ordinary day of election or retirement occurred within the said period.

Amalgamation of small rural districts.

7. Where the population of any rural district is less than four thousand and its rateable value is less than twenty thousand pounds, the Local Government Board shall, if it is conveniently possible, amalgamate the district with an adjoining rural district in the same county, and for that purpose subsection (5) of section sixty-eight of the Local Government (Ireland) Act, 1898, shall apply whether the Board have or have not amalgamated the unions comprised in the rural districts.

61 & 62 Vict. c. 37.

Protection of existing local officers.

8.—(1) If any officer of a local authority who holds on the passing of this Act a pensionable office is removed from his office for any cause other than misconduct or incapacity, or resigns his office with the sanction of the Local Government Board, he shall, without prejudice to any other right, be entitled to receive from the local authority an allowance not exceeding two-thirds of the salary, fees and emoluments which he was in receipt of at the time of the removal or resignation, and not less than an allowance calculated according to the scale provided by the Superannuation Acts, 1834 to 1892, and the rules thereunder, if at that time he has served as an officer of the local authority for not less than ten years, or a gratuity according to the scale in Part I. of the Seventh Schedule to the Local Government (Ireland) Act, 1898, if he has so served for less than ten years, and the right to and amount of any such allowance or gratuity shall, in case of dispute, be determined by the Local Government Board. For the purposes of this section, any person duly appointed standing solicitor of a local authority before the passing of this Act shall be deemed to be a pensionable officer of the local authority, notwithstanding that his whole time is not devoted to the duties of his office.

(2) The Local Government Board shall not give their sanction to the resignation of an officer for the purposes of this section unless they are satisfied that, owing to changes made without reasonable cause in the conditions of his employment after the passing of this Act, his position has been materially altered to his detriment; or that he has become incapable of discharging the duties of his office with efficiency by reason of permanent infirmity of mind or body; or that he is not less than sixty years of age and has served as an officer of the local authority for not less than twenty years.

(3) This section shall apply to a whole-time officer of a committee of a local authority or of a joint committee of several local authorities in like manner as if he were an officer of the local authority or authorities holding a pensionable office, and in the case of an officer of a joint committee the amount of the superannuation allowance or gratuity shall be payable by the local authorities in such proportions as may be agreed upon, or, in default of agreement, as may be determined by the Local Government Board: Provided that, in the application of this section to an officer of a committee or joint committee appointed for the purposes of the Agriculture and Technical Instruction (Ireland) Act, 1899, the sanction of the Department of Agriculture and Technical Instruction for Ireland shall be substituted for the sanction of the Local Government Board.

62 & 63 Vict. c. 50.

(4) The holding by an officer of a local authority whether before or after the passing of this Act of the office of clerk to an old age pensions committee or to a national insurance committee, or of registration officer under the Representation of the People Act, 1918, shall not be deemed for the purposes of this section to deprive him of the status of a holder of a pensionable office.

8 Geo. 5. c. 64.

(5) In this section "local authority" means the council of any county, county borough, or county district, the commissioners of any town, and the guardians of any poor law union.

Application to Sligo borough.

9. This Act, in its application to the council of the borough of Sligo and the election of members of that council, shall have effect with the following modifications; namely,—

The first triennial election after the passing of this Act of alderman and councillors shall be held on the fifteenth day of January in the year nineteen hundred and twenty-three, and the existing term of office of aldermen and councillors shall be extended so as to expire on the sixteenth day of January in that year, and accordingly in sections two and five of this Act a reference to the year nineteen hundred and twenty-three shall be substituted for any reference to the year nineteen hundred and twenty.

Orders of the Local Government Board.

10.—(1) The Local Government Board may make such Orders as appear to them to be necessary or proper for giving full effect to this Act, including Orders—

(*a*) Prescribing the method of voting and transferring and counting votes at any election conducted according to the principle of proportional representation in pursuance of this Act, and the duties of returning officers in connexion therewith; and

(*b*) Adapting any of the provisions of the Local Government (Ireland) Act, 1898, or any Order of the Lord Lieutenant in Council made thereunder, or of any other enactment (including any local Act) relative to local elections, to county or district electoral divisions or wards, to the powers and duties of local authorities, or to members, committees and officers thereof in such manner as may appear to the Board to be necessary in order to bring such provisions into conformity with the provisions of this Act.

(2) If any difficulty arises as to the holding of the first triennial election of members of any local authority after the commencement of this Act, the Local Government Board may by Order do any matter or thing which appears to them necessary for the proper holding of the election

(3) Any Order made by the Local Government Board under this Act shall have effect as if enacted in this Act, but may be revoked or varied by a subsequent Order.

Repeals.

11. The enactments specified in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

Interpretation.

12. In this Act, unless the context otherwise requires, the expression "transferable vote" means a vote—

(*a*) capable of being given so as to indicate the voter's preference for the candidates in order; and

(*b*) capable of being transferred to the next choice when the vote is not required to give a prior choice the necessary quota of votes, or when, owing to the deficiency in the number of the votes given for a prior choice, that choice is eliminated from the list of candidates.

The expression "members of a local authority" includes aldermen, councillors, guardians, and town commissioners.

The expression "town" means any town as defined in the Local Government (Ireland) Act, 1898, other than an urban district.

The expression "population" means population according to the last published census for the time being.

Short title, construction, and citation.

13. This Act may be cited as the Local Government (Ireland) Act, 1919, and shall be construed as one with the Local Government (Ireland) Acts, 1898 to 1902, and may be cited together with those Acts as the Local Government (Ireland) Acts, 1898 to 1919.

SCHEDULE.

Section 11.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
3 & 4 Vict. c. 108.	The Municipal Corporations (Ireland) Act, 1840.	Sections sixty-one and sixty-two.
17 & 18 Vict. c. 103.	The Towns Improvement (Ireland) Act, 1854.	Section twenty-three; section twenty-four, so far as respects the rotation of the Commissioners.
61 & 62 Vict. c. 37.	The Local Government (Ireland) Act, 1898.	In subsection (3) of section two the words from "Provided that" to the end of the subsection; in subsection (4) of section two the words from "may give" to "that division and"; in paragraph (*a*) of subsection (2) of section twenty-one the words from "Provided that" to the end of the paragraph; in subsection (1) of section twenty-three the words from "Provided that" to the end of the subsection; in subsection (3) of section twenty-three paragraph (*b*) down to "division and," the words from "may give" to "division and" in paragraph (*c*), and in section twenty-four, paragraphs (*c*) and (*d*)

CHAPTER 20.

An Act to establish a Scottish Board of Health to exercise powers with respect to Health and Local Government in Scotland, and for purposes connected therewith.

[3rd June 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Establishment of Board.

1. For the purpose of promoting the health of the people throughout Scotland, and for the purpose of the exercise of the powers transferred or conferred by this Act, it shall be lawful for His Majesty to appoint a Scottish Board of Health (hereinafter called "the Board").

General powers and duties of Board in relation to health.

2. It shall be the duty of the Board in the exercise and performance of any powers and duties transferred to or conferred on them by or in pursuance of this Act to take all such steps as may be desirable to secure the effective carrying out and co-ordination of measures conducive to the health of the people, including measures for the prevention and cure of diseases, the initiation and direction of research, the treatment of physical and mental defects, the collection preparation and publication of information and statistics, and the training of persons for health services.

Constitution of Board.

3.—(1) The Secretary for Scotland may appoint a parliamentary under-secretary for health, who shall be responsible under him for the administration of the Board in the exercise and performance of all powers and duties under this Act. The Secretary for Scotland shall be President, and the parliamentary under-secretary shall be Vice-President of the Board by virtue of their respective offices. There shall be paid to any parliamentary under-secretary so appointed such remuneration as the Treasury may determine. The office of an under-secretary so appointed shall not render the holder thereof incapable of being elected to, or sitting or voting as a member of, the Commons House of Parliament.

(2) The Board shall, as at first constituted, include the existing appointed members of the Local Government Board for Scotland, and such two of the Scottish Insurance Commissioners as the Secretary for Scotland shall nominate, and shall at all times include two registered medical practitioners, one or more women, and a member of the Faculty of Advocates or law agent of not less than ten years' standing.

The number of members (other than ex officio members) shall at no time exceed six, and subject as aforesaid the power of appointing such members shall be exerciseable by His Majesty on the recommendation of the Secretary for Scotland.

Such member of the Board as the Secretary for Scotland may designate shall be Chairman of the Board in the absence of the President and Vice-President.

The Chairman and other members of the Board (not being members ex officio) shall receive such salary or remuneration as the Treasury may determine.

Transfer of powers and duties to and from Board.

4.—(1) There shall be transferred to the Board—

(*a*) all the powers and duties of the Local Government Board for Scotland;

(*b*) all the powers and duties of the Scottish Insurance Commissioners;

(*c*) all the powers of the Privy Council and of the Lord President of the Council under the Midwives (Scotland) Act, 1915; 5 & 6 Geo. 5. c. 91.

(*d*) all the powers and duties of the Secretary for Scotland under the Alkali, &c., Works Regulation Act, 1906; 6 Edw. 7. c. 14.

(*e*) all the powers and duties of the Secretary for Scotland under the Burial Grounds (Scotland) Act, 1855; 18 & 19 Vict. c. 68.

(*f*) all the powers and duties of the Secretary for Scotland under the Rivers Pollution Prevention Acts, 1876 and 1893, section fifty-five of the Local Government (Scotland) Act, 1889, and the Rivers Pollution Prevention (Border Councils) Act, 1898; 52 & 53 Vict. c. 50. 61 & 62 Vict. c. 34.

(*g*) all the powers and duties of the Secretary for Scotland under the Births, Deaths, and Marriages (Scotland) Acts, 1854 to 1910, the Marriage Notice (Scotland) Act, 1878, and the Vaccination (Scotland) Acts, 1863 to 1907; 41 & 42 Vict. c. 43.

(*h*) all the powers and duties of the Secretary for Scotland and the Highlands and Islands (Medical Service) Board under the Highlands and Islands (Medical Service) Grant Act, 1913; 3 & 4 Geo. 5. c. 26.

(*i*) all the powers and duties of the Scottish Education Department with respect to the medical inspection and treatment of children and young persons:

Provided that, for the purpose of facilitating the effective exercise and performance by the Board of the last-mentioned powers and duties, the Board may make arrangements with the Scottish Education Department respecting the submission and approval of schemes of education authorities and the payment of grants to education authorities, so far as such schemes and payment relate to, or are in respect of, medical inspection and treatment:

And provided also that in such matters of a judicial nature under the National Insurance (Health) Acts, 1911 to 1918, as may be prescribed under those Acts, the powers and duties of the Scottish Insurance Commissioners by this Act transferred to the Board shall be exercised by the Board through a special

body or special bodies of persons constituted in such manner as may be prescribed.

(2) It shall be lawful for His Majesty from time to time by Order in Council to transfer to the Board—

(*a*) any of the powers and duties of the Secretary for Scotland under the enactments relating to lunacy and mental deficiency;

(*b*) all or any of the powers and duties of the Minister of Pensions with respect to the health of disabled officers and men after they have left the service, so far as those powers and duties relate to Scotland;

(*c*) any other powers and duties in Scotland of any Government department which appear to His Majesty to relate to matters affecting or incidental to the health of the people.

(3) It shall be lawful for His Majesty from time to time by Order in Council to transfer from the Board to any other Government department any of the powers and duties of the Board which appear to His Majesty not to relate to matters affecting or incidental to the health of the people.

And it is hereby declared that it is the intention of this Act that, in the event of provision being made by Act of Parliament passed in the present or in any future session for the revision of the law relating to the relief of the poor in Scotland and the distribution amongst other authorities of any powers exerciseable by parish councils, there shall be transferred from the Board to other Government departments such of the powers and duties under the enactments relating to the relief of the poor then vested in the Board (not being powers or duties relating or incidental to the health of the people) as appear to His Majesty to be such as would be more conveniently exercised and performed by such other departments.

(4) His Majesty may by Order in Council make such incidental, consequential and supplemental provisions as may be necessary or expedient for the purpose of giving full effect to any transfer of powers or duties by or under this section, including provision for the transfer of any property, rights, and liabilities held, enjoyed, or incurred by any Government department in connection with any powers or duties transferred, and may make such adaptations in the enactments relating to such powers or duties as may be necessary to make exerciseable by the Board and the officers thereof, or by such other Government department and their officers, as the case may be, the powers and duties so transferred.

(5) In connection with the transfer of powers and duties to or from the Board by or under this Act, the provisions set out in the First Schedule to this Act shall have effect.

Consultative Councils.

5.—(1) It shall be lawful for His Majesty by Order in Council to establish consultative councils for giving, in accordance with the provisions of the Order, advice and assistance to

the Board in connection with such matters affecting or incidental to the health of the people in Scotland as may be referred to in such Order.

(2) Every such council shall include persons of both sexes, and shall consist of persons having practical experience of the matters referred to the council, and due regard shall be had in constituting them to any special interests (including those of local authorities and of labour) which may be involved.

Staff and remuneration.

6.—(1) The Board may appoint such secretaries, officers, and servants as the Board may, subject to the sanction of the Treasury as to numbers, determine, and in the making of such appointments shall give equal consideration to the suitability of persons of both sexes.

(2) There shall be paid (out of moneys provided by Parliament) to the secretaries, officers, and servants of the Board such salaries or remuneration as the Treasury may determine.

(3) The expenses of the Board, including payments to members of consultative councils and committees thereof, to such amount as may be sanctioned by the Treasury, shall be paid out of moneys provided by Parliament; but no such payment shall be made to members of consultative councils and committees thereof other than the repayment of travelling expenses and payment of subsistence allowance, and reasonable compensation for loss of remunerative time.

(4) There shall be transferred and attached to the Board the persons employed under the Local Government Board for Scotland, the Scottish Insurance Commissioners, and the Highlands and Islands (Medical Service) Board, and such of the persons employed under any other Government department in or about the execution of the powers and duties transferred by or under this Act to the Board, as the Board and Government department, with the sanction of the Treasury, may determine.

(5) The Board may from time to time distribute the business of the Board amongst the several persons transferred or attached thereto in pursuance of this Act, in such manner as the Board think right, and those persons shall perform such duties in relation to that business as may be directed by the Board:

Provided that such persons shall be in no worse position as respects the tenure of office, salary, or superannuation allowance, than they would have been if this Act had not been passed.

(6) For the purposes of this section, a person attached to a Government department, whether as a Commissioner, member of a Board, or otherwise, shall be deemed to be employed under the department.

Seal, style, and acts of Board.

7.—(1) The Board may sue and be sued by the name of the Scottish Board of Health, and may for all purposes be described by that name, and service on the Board of all legal processes and notices shall be effected by service on a secretary of the Board.

(2) The Board shall have an official seal, which shall be officially and judicially noticed, and any act to be done, or deed to be signed, or instrument to be executed by or on behalf of the Board may be done, signed, or executed in the name of the Board by the President, Vice-President, or Chairman of the Board, or a secretary, or any person authorised by the Board to act in that behalf.

(3) Every document purporting to be an order or other instrument issued by the Board, and to be sealed with the seal of the Board or to be signed as aforesaid, shall be received in evidence and be deemed to be such order or other instrument without further proof, unless the contrary is shown.

(4) The Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, shall apply to the Board as if the Board were mentioned in the first column of the schedule to the first mentioned Act, and as if the President or Vice-President or a secretary of the Board or any person authorised by the Board to act in that behalf were mentioned in the second column of that schedule. 31 & 32 Vict. c. 37. 45 & 46 Vict. c. 9.

Provisions as to Orders in Council.

8.—(1) Any Order in Council made under this Act may be revoked or varied by a subsequent Order.

(2) Before any Order in Council under this Act (other than an Order appointing a day for the commencement of this Act or any provision thereof) is made, notice of the proposal to make the Order and of the place where copies of a draft of the Order can be obtained shall be published in the Edinburgh Gazette, and in such other manner as the Board think best adapted for insuring publicity, and a draft of the Order shall be laid before each House of Parliament for not less than thirty days on which such House is sitting.

(3) In the case of an Order providing for any transfer of powers and duties to or from the Board under subsection (2), or under subsection (3), of section four of this Act, the Order shall not take effect until both Houses of Parliament have by resolution approved the same and shall take effect subject to any modifications and adaptations which may be agreed to by both Houses of Parliament; and in the case of any other Order if either House before the expiration of such thirty days presents an address to His Majesty against the draft, or any part thereof, no further proceedings shall be taken thereon, without prejudice to the making of any new draft Order.

Short title, commencement, extent, repeal, interpretation.

9.—(1) This Act may be cited as the Scottish Board of Health Act, 1919, and shall come into operation upon such day or days as may be appointed by Order in Council, and different days may be appointed for different purposes and provisions of this Act:

Provided that the latest day for the transfer of powers to the Board under subsection (1) of section four shall not be later than one year from the passing of this Act.

(2) This Act shall extend to Scotland only.

(3) The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

(4) In this Act the expression "Government department" includes the Scottish Insurance Commissioners, the Highlands and Islands (Medical Service) Board, and any other public department, and any Minister of the Crown acting as the head of a Government department. The expression "law agent" has the same meaning as in the Law Agents (Scotland) Act, 1873.

36 & 37 Vict. c. 63.

SCHEDULES.

Section 4.

FIRST SCHEDULE.

TRANSITORY PROVISIONS.

1. In the construction and for the purposes of any Act of Parliament, judgment, decree, order, award, deed, contract, regulation, byelaw, or other document passed or made before the transfer to or from the Board from or to any other Government department of any powers or duties by or under this Act, but so far only as may be necessary for the purpose of such transfer, the name of the Board or of the Government department shall be substituted for the name of the other Government department or of the Board, as the case may be.

2. Where anything has been commenced by or under the authority of any other Government department or the Board before the transfer to the Board or another Government department of any powers or duties by or under this Act, and such thing is in relation to the powers or duties so transferred, such thing may be carried on and completed by or under the authority of the Board or the other Government department, as the case may be.

3. Where at the time of the transfer of any powers or duties by or under this Act any legal proceeding is pending to which any Government department or the Board is a party, and such proceeding has reference to the powers and duties transferred by or under this Act, the Board or the other Government department shall be substituted in such proceeding for the other Government department or the Board, as the case may be, and such proceeding shall not abate by reason of the substitution.

SECOND SCHEDULE.

Section 9.

REPEALS.

Session and Chapter.	Short Title.	Extent of Repeal.
8 & 9 Vict. c. 83.	The Poor Law (Scotland) Act, 1845.	Section four, so far as not already repealed.
57 & 58 Vict. c. 58.	The Local Government (Scotland) Act, 1894.	Sections four, five and six.
1 & 2 Geo. 5. c. 55.	The National Insurance Act, 1911.	Paragraph (*b*) of, and the proviso to, subsection (2) of section sixteen, subsections (1), (2), (3) and (4) of section fifty-seven and section fifty-eight, so far as applying to Scotland. Subsection (1) of section eighty from "there shall be constituted" to "the purpose aforesaid."

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CHAPTER 21.

An Act to establish a Ministry of Health to exercise in England and Wales powers with respect to Health and Local Government, and confer upon the Chief Secretary certain powers with respect to Health in Ireland, and for purposes connected therewith. [3rd June 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Establishment of Minister.

1. For the purpose of promoting the health of the people throughout England and Wales, and for the purpose of the exercise of the powers transferred or conferred by this Act, it shall be lawful for His Majesty to appoint a Minister of Health (hereinafter called "the Minister"), who shall hold office during His Majesty's pleasure.

General powers and duties of Minister in relation to health.

2. It shall be the duty of the Minister, in the exercise and performance of any powers and duties transferred to or conferred upon him by or in pursuance of this Act, to take all such steps as may be desirable to secure the preparation, effective carrying out and co-ordination of measures conducive to the health of the people, including measures for the prevention and cure of

diseases, the avoidance of fraud in connection with alleged remedies therefor, the treatment of physical and mental defects, the treatment and care of the blind, the initiation and direction of research, the collection, preparation, publication, and dissemination of information and statistics relating thereto, and the training of persons for health services.

Transfer of powers and duties to and from Minister.

3.—(1) There shall be transferred to the Minister—

(*a*) all the powers and duties of the Local Government Board;

(*b*) all the powers and duties of the Insurance Commissioners and the Welsh Insurance Commissioners;

(*c*) all the powers of the Board of Education with respect to attending to the health of expectant mothers and nursing mothers and of children who have not attained the age of five years and are not in attendance at schools recognised by the Board of Education;

(*d*) all the powers and duties of the Board of Education with respect to the medical inspection and treatment of children and young persons under paragraph (*b*) of subsection (1) of section thirteen of the Education (Administrative Provisions) Act, 1907, as amended and extended by the Education Act, 1918: Provided that, for the purpose of facilitating the effective exercise and performance of these powers and duties, the Minister may make arrangements with the Board of Education respecting the submission and approval of schemes of local education authorities and the payment of grants to local education authorities, so far as such schemes and payment relate to or are in respect of medical inspection and treatment; and the powers and duties of the Minister may under any such arrangements be exercised and performed by the Board on his behalf and with his authority under such conditions as he may think fit;

7 Edw. 7. c. 43.
8 & 9 Geo. 5. c. 39.

(*e*) all the powers of the Privy Council and of the Lord President of the Council under the Midwives Acts, 1902 and 1918;

2 Edw. 7. c. 17.
8 & 9 Geo. 5. c. 43.

(*f*) such powers of supervising the administration of Part I. of the Children Act, 1908 (which relates to infant life protection), as have heretofore been exercised by the Secretary of State:

8 Edw. 7. c. 67.

Provided that—

(i) the power conferred on the Insurance Commissioners by the proviso to subsection (2) of section sixteen of the National Insurance Act, 1911, of retaining and applying for the purposes of research such sums as are therein mentioned shall not be transferred to the Minister, but the duties heretofore

1 & 2 Geo. 5 c. 55.

performed by the Medical Research Committee shall after the date of the commencement of this Act be carried on by or under the direction of a Committee of the Privy Council appointed by His Majesty for that purpose, and any property held for the purposes of the former Committee shall after that date be transferred to and vested in such persons as the body by whom such duties as aforesaid are carried on may appoint, and be held by them for the purposes of that body; and

(ii) in such matters of a judicial nature under the National Insurance (Health) Acts, 1911 to 1918, as may be prescribed under those Acts, the powers and duties of the Insurance Commissioners and the Welsh Insurance Commissioners by this Act transferred to the Minister shall be exercised by the Minister through a special body or special bodies of persons constituted in such manner as may be so prescribed.

(2) It shall be lawful for His Majesty from time to time by Order in Council to transfer to the Minister—

(*a*) all or any of the powers and duties of the Minister of Pensions with respect to the health of disabled officers and men after they have left the service;

(*b*) all or any of the powers and duties of the Secretary of State under the enactments relating to lunacy and mental deficiency;

(*c*) any other powers and duties in England and Wales of any Government department which appear to His Majesty to relate to matters affecting or incidental to the health of the people.

(3) It shall be lawful for His Majesty from time to time by Order in Council to transfer from the Minister to any other Government department any of the powers and duties of the Minister, whether relating to the relief of the poor or otherwise, which appear to His Majesty not to relate to matters affecting or incidental to the health of the people.

And it is hereby declared that it is the intention of this Act that, in the event of provision being made by Act of Parliament passed in the present or in any future session for the revision of the law relating to the relief of the poor and the distribution amongst other authorities of the powers exerciseable by boards of guardians, there shall be transferred from the Minister to other Government departments such of the powers and duties under the enactments relating to the relief of the poor then vested in the Minister (not being powers or duties relating or incidental to the health of the people) as appear to His Majesty to be such as could be more conveniently exercised and performed by such other departments.

(4) His Majesty may by Order in Council make such incidental, consequential, and supplemental provisions as may

be necessary or expedient for the purpose of giving full effect to any transfer of powers or duties by or under this section, including provisions for the transfer of any property, rights, and liabilities held, enjoyed, or incurred by any Government department in connection with any powers or duties transferred, and may make such adaptations in the enactments relating to such powers or duties as may be necessary to make exerciseable by the Minister and his officers or by such other Government department and their officers, as the case may be, the powers and duties so transferred.

(5) In connection with the transfer of powers and duties to or from the Minister by or under this Act, the provisions set out in the First Schedule to this Act shall have effect.

Consultative councils.

4.—(1) It shall be lawful for His Majesty by Order in Council to establish consultative councils in England and Wales for giving, in accordance with the provisions of the Order, advice and assistance to the Minister in connection with such matters affecting or incidental to the health of the people as may be referred to in such Order.

(2) Every such council shall include women as well as men, and shall consist of persons having practical experience of the matters referred to the council.

Provisions as to Wales.

5. The Minister shall, subject to the provisions of this Act, appoint such officers as he may think fit to constitute a Board of Health in Wales through whom he may exercise and perform in Wales in such manner as he may think fit any of his powers and duties; the Board and any officer who is a member thereof shall act under the directions, and comply with the instructions, of the Minister.

Staff and remuneration.

6.—(1) The Minister may appoint one parliamentary secretary and such secretaries, officers, and servants as the Minister may, subject to the consent of the Treasury as to number, determine, and in the making of such appointments shall give equal consideration to the suitability of persons of both sexes.

(2) There shall be paid out of moneys provided by Parliament to the Minister an annual salary not exceeding five thousand pounds, and to the secretaries, officers, and servants of the Ministry such salaries or remuneration as the Treasury may from time to time determine.

(3) The expenses of the Ministry, including payments to members of consultative councils and committees thereof, to such amount as may be sanctioned by the Treasury, shall be paid out of moneys provided by Parliament:

Provided that no payments shall be made to members of consultative councils and committees thereof other than the repayment of travelling expenses and payment of subsistence allowance and reasonable compensation for loss of remunerative time.

(4) There shall be transferred and attached to the Ministry the persons employed under the Local Government Board, the

Insurance Commissioners and the Welsh Insurance Commissioners, and such of the persons employed under any other Government department in or about the execution of the powers and duties transferred by or under this Act to the Minister, as the Minister and Government department, with the sanction of the Treasury, may determine.

(5) The Minister may from time to time distribute the business of the Ministry amongst the several persons transferred or attached thereto in pursuance of this Act in such manner as he may think right, and those persons shall perform such duties in relation to that business as may be directed by the Minister:

Provided that such persons shall be in no worse position as respects the tenure of office, salary or superannuation allowances than they would have been if this Act had not been passed.

Seal, style, and acts of Minister.

7.—(1) The Minister may sue and be sued by the name of the Minister of Health, and may for all purposes be described by that name.

(2) The Minister shall have an official seal, which shall be officially and judicially noticed, and shall be authenticated by the signature of the Minister, or of a secretary, or any person authorised by the Minister to act in that behalf.

(3) For the purpose of acquiring and holding land, the Minister for the time being shall be a corporation sole by the name of the Minister of Health, and all land vested in the Minister shall be held in trust for His Majesty for the purposes of the Ministry of Health.

(4) Upon and by virtue of the appointment of any person to be Minister, the benefit of all deeds, contracts, bonds, securities, or things in action vested in his predecessor at the time of his predecessor ceasing to hold office shall be transferred to and vested in and enure for the benefit of the person so appointed, in the same manner as if he had been contracted with instead of his predecessor, and if his name had been inserted in all such deeds, contracts, bonds, or securities instead of the name of his predecessor.

(5) Subsections (2) to (4) of section eleven and section twelve of the New Ministries and Secretaries Act, 1916, shall apply to the Minister and the Ministry of Health, and to the office of the Minister of Health and in like manner as they apply to the Ministers and Ministries mentioned in those sections.

6 & 7 Geo. 5. c. 68.

Provisions as to Orders in Council.

8.—(1) Any Order in Council made under this Act may be revoked or varied by a subsequent Order.

(2) Before any Order in Council under this Act (other than an Order appointing a day for the commencement of this Act or any provision thereof) is made, notice of the proposal to make the Order and of the place where copies of a draft of the Order can be obtained shall be published in the London Gazette, and in such other manner as the Minister thinks best adapted for insuring publicity, and a draft of the Order shall be laid before

each House of Parliament for not less than thirty days on which such House is sitting.

(3) In the case of a draft of an Order providing for any transfer of powers or duties to or from the Minister under subsections (2) and (3) of section three of this Act, or for the establishment of any consultative council under section four thereof, the Order shall not be made until both Houses by resolution have approved the draft, nor, if any modifications are agreed to by both Houses, otherwise than as so modified, and in the case of a draft of any other Order which is required to be laid as aforesaid, if either House before the expiration of such thirty days presents an Address to His Majesty against the draft, or any part thereof, no further proceedings shall be taken thereon, without prejudice to the making of any new draft Order.

Consequential modifications of Insurance Acts.

9.—(1) The Irish Insurance Commissioners, in the carrying out of their powers and duties under the National Insurance (Health) Acts, 1911 to 1918, shall, except in such matters of a judicial character as may be prescribed under those Acts, act under the directions of the Chief Secretary, and further appointments of persons to be Irish Insurance Commissioners shall, subject to the consent of the Treasury as to number, be made by the Chief Secretary; but, save as aforesaid or as otherwise expressly provided in this Act, nothing in this Act shall affect any of the powers or duties of the Irish Insurance Commissioners.

(2) The National Health Insurance Joint Committee shall consist of the Minister of Health, who shall be chairman, the Secretary for Scotland, and the Chief Secretary for Ireland, together with one other person appointed by the Minister, being a person having special knowledge and experience of national health insurance in Wales; but, save as aforesaid, nothing in this Act shall affect the constitution of that Committee or the incorporation thereof:

Provided that—

(*a*) regulations under section eighty-three of the National Insurance Act, 1911, shall be made by the Committee instead of by the Treasury, and subsection (4) of that section shall apply to regulations made by the Committee in like manner as it applies to regulations made by the Treasury, but nothing in this provision shall affect the validity of a regulation made by the Treasury under that subsection before the commencement of this Act with respect to the powers and procedure of the Committee, and any such regulation shall continue in force until altered or revoked by regulations made by the Committee in pursuance of this provision; and

(*b*) regulations made by the Committee under the said section eighty-three as amended by this section shall provide for the appointment of deputies to act

for the several members of the Committee at meetings of the Committee at which such members are unable to be present.

Application to Ireland.

10.—(1) For the purpose of promoting the health of the people in Ireland and exercising the powers conferred on him by this Act, the Chief Secretary shall be the Minister of Health for Ireland, and it shall be his duty as such Minister to take all such steps as may be desirable to secure the preparation, effective carrying out and co-ordination of measures conducive to health, including measures for the prevention and cure of diseases, the avoidance of fraud in connection with alleged remedies therefor, the treatment of physical and mental defects, the treatment and care of the blind, the initiation and direction of research, the collection, preparation, publication, and dissemination of information and statistics relating thereto, and the training of persons for health services.

(2) The provisions of this Act with respect to consultative councils shall apply to Ireland, with the substitution therein of the Lord Lieutenant for His Majesty, of Ireland for England and Wales, and of the Dublin Gazette for the London Gazette, and with the addition of the following provision:—

For the purpose of giving advice and assistance and making proposals to the Chief Secretary in connection with his powers and duties under this Act, a council shall be established (which shall be called the Irish Public Health Council) consisting of the following persons:—

(*a*) The Vice-President and the two other Commissioners of the Local Government Board for Ireland;

(*b*) The chairman and such two others of the Irish Insurance Commissioners as may be nominated by the Chief Secretary;

(*c*) The Registrar General of Births, Deaths, and Marriages in Ireland;

(*d*) A registered medical practitioner, who shall act as chairman of the council under the direction of the Chief Secretary, and three other registered medical practitioners, one of whom shall be a woman and one of whom shall be a medical practitioner who is registered on the Medical Register in respect of a diploma in sanitary science, public health, or State medicine;

(*e*) Six other persons having practical experience of matters relating or incidental to or affecting the health of the people.

(3) The Chief Secretary shall from time to time nominate the persons who are to be members of the Irish Public Health Council under paragraphs (*d*) and (*e*) of the preceding subsection, including the chairman.

(4) The expenses of the Chief Secretary and of the Irish Public Health Council under this Act, including a salary to the chairman of that council of such amount as may be determined by the Chief Secretary with the approval of the Treasury, and reasonable compensation to the other members of that council for loss of remunerative time, shall be paid in like manner as the expenses of the Ministry.

(5) Save as aforesaid or as otherwise expressly provided in this Act, the foregoing provisions of this Act shall not apply to Ireland.

Short title, commencement, and repeal, and interpretation.

11.—(1) This Act may be cited as the Ministry of Health Act, 1919, and shall come into operation upon such day or days as may be appointed by Order in Council, and different days may be appointed for different purposes and provisions of this Act:

Provided that the latest day for the transfer of powers to the Minister under subsection (1) of section three of this Act shall not be later than one year after the passing of this Act:

Provided that the day appointed for the transfer of the powers of the Minister of Pensions shall not be earlier than one year or later than three years after the termination of the present war.

(2) The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

(3) For the purposes of this Act, Monmouthshire shall be deemed to form part of Wales.

(4) The expression "Government department" includes the Insurance Commissioners, the Welsh Insurance Commissioners, and any other public department and any Minister of the Crown acting as the head of a Government department.

SCHEDULES.

Section 3.

FIRST SCHEDULE.

TRANSITORY PROVISIONS.

1. In the construction and for the purposes of any Act of Parliament, judgment, decree, order, award, deed, contract, regulation, byelaw, or other document passed or made before the transfer to or from the Minister from or to any other Government department of any powers or duties by or under this Act, but so far only as may be necessary for the purpose of such transfer, the name of the Minister or of the other Government department shall be substituted for the name of the other Government department or of the Minister, as the case may require.

2. Where anything has been commenced by or under the authority of any other Government department or the Minister before the transfer to the Minister or another Government department of any powers or duties by or under this Act, and such thing is in relation to the powers or duties so transferred, such thing may be carried on and completed by or under the authority of the Minister or the other Government department, as the case may be.

3. Where at the time of the transfer of any powers or duties by or under this Act any legal proceeding is pending to which any Government department or the Minister is a party, and such proceeding has reference to the powers and duties transferred by or under this Act, the Minister or the other Government department shall be substituted in such proceeding for the other Government department or the Minister, as the case may be, and such proceeding shall not abate by reason of the substitution.

SECOND SCHEDULE.

Section 11.

REPEALS.

Session and Chapter.	Short Title.	Extent of Repeal.
34 & 35 Vict. c. 70.	The Local Government Board Act, 1871.	Sections three, four, five and six.
1 & 2 Geo. 5. c. 55.	The National Insurance Act, 1911.	Paragraph (*b*) of and the proviso to subsection (2) of section sixteen, subsections (1), (2), (3) and (4) of section fifty-seven, and section fifty-eight, except so far as those sections are applied to the Scottish Insurance Commissioners and the Irish Insurance Commissioners. In paragraph (1) of section eighty-one the words "shall be appointed by the Treasury, and" Subsection (1) of section eighty-two. In subsection (1) of section eight-three, the words "as soon "as may be after the passing "of this Act, in accordance "with regulations made by the "Treasury," and the words from "of the several bodies of Commissioners" to the end of the subsection.

CHAPTER 22.

An Act to enable arrangements to be made as to employers' liability to pay compensation in respect of men disabled by service in His Majesty's Forces during the present War with a view to facilitating their employment. [22nd July 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Arrangements in cases of employment of disabled men.

1. With a view to facilitating the employment of men who have served in any of His Majesty's Forces during the present war, and, in consequence of any injury or disease attributable to or aggravated by such service, are in receipt of a pension on account of their disablement, a Secretary of State may, with the approval of the Treasury, make arrangements under which employers may be relieved from or indemnified against the whole or any part of any increase in expenditure arising out of the employers' liability to pay compensation or damages in respect of accidents or industrial disease, where such increase is attributable to the employment of such men.

Any sums payable in respect of such arrangements shall be paid out of moneys provided by Parliament.

Short title.

2. This Act may be cited as the Disabled Men (Facilities for Employment) Act, 1919.

CHAPTER 23.

An Act to control the importation of goods infected or likely to be infected with Anthrax, and to provide for the disinfection of any such goods. [22nd July 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to prohibit the importation of goods infected with anthrax.

1.—(1) His Majesty may by Order in Council make provision for preventing the importation into the United Kingdom, either absolutely or except at any specified ports and subject to any specified conditions as to disinfection and otherwise, of goods infected, or likely to be infected, with anthrax (in this Act referred to as "infected goods").

(2) An Order under this section may contain a declaration that goods of any specified class which are of any specified origin, or are exported from or through any specified country or

place, are goods likely to be infected with anthrax, and any such declaration shall be conclusive for all purposes.

(3) Any Order made under this section may be revoked or varied by any subsequent Order.

(4) An Order in Council under this Act may apply, as respects any goods specified in the Order, any of the provisions (including penal provisions) of the Customs (Consolidation) Act, 1876, or any Act amending or extending that Act, with respect to goods whereof the importation is prohibited under those Acts, with such modifications as appear necessary or expedient, and in particular with the substitution of Secretary of State for the Commissioners of Customs and Excise, and of persons appointed by the Secretary of State for officers of Customs and Excise. 39 & 40 Vict. c. 36.

(5) In this section the expression "specified" means specified in an Order made under this section.

Provision as to disinfection of infected goods.

2.—(1) A Secretary of State may provide, maintain, and carry on, or arrange for the provision, maintenance, or carrying on, at such ports or other places in the United Kingdom, as he thinks proper, the necessary works for the disinfection of infected goods, and may make rules providing for the payment by importers of infected goods of fees in respect of the disinfection thereof, and in respect of services rendered in connection with such disinfection, and for the recovery of such payments.

(2) Any expenses incurred by the Secretary of State in carrying this Act into effect, up to such an amount as the Treasury may approve, shall be defrayed out of moneys provided by Parliament.

Short title.

3. This Act may be cited as the Anthrax Prevention Act, 1919.

CHAPTER 24.

An Act to make further provision for the reckoning of service in connection with the present war as service under an indenture of apprenticeship for the purposes of the Law Agents (Scotland) Act, 1873.

[22nd July 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Reckoning of periods of service with the forces, &c. towards law agent's apprenticeship.

1.—(1) Where any person who has been or shall be during the present war—

(*a*) employed in any public service connected with the war of a character approved by the Lord President of the Court of Session; or

(*b*) detained in consequence of the war as a prisoner, military or civil, in any enemy country; or

(*c*) interned in consequence of the war in an enemy or neutral country,

has entered or shall enter into an indenture of apprenticeship in terms of the Law Agents (Scotland) Act, 1873 (hereinafter referred to as the Act of 1873), one half of the period of such employment, detention, or internment shall be reckoned as actual service under such indenture.

36 & 37 Vict. c. 63.

(2) Where any person has served or shall serve in any of His Majesty's forces in the present war, and after the termination of such service has entered or shall enter into an indenture in terms of the Act of 1873, one half of the period of such service shall be reckoned as actual service under such indenture.

(3) This Act shall not apply where the indenture is entered into more than one year, or, in the case of any of the persons specified in subsection (6) of section five of the Act of 1873, more than three years, after the termination of the war: Provided that, where any person continues to serve in any of His Majesty's forces after the termination of the war, the said periods of one year and three years respectively shall be reckoned from the termination of such service.

(4) This Act shall not authorise the reckoning as actual service under any indenture of any period exceeding three years, or, in the case of any of the persons specified in the said subsection (6) of section five, two years.

Short title.

2. This Act may be cited as the Law Agents Apprenticeship (War Service) (Scotland) Act, 1919, and this Act and the Law Agents Apprenticeship (War Service) (Scotland) Act, 1914, may be cited together as the Law Agents Apprenticeship (War Service) (Scotland) Acts, 1914 and 1919.

5 & 6 Geo. 5. c. 20.

CHAPTER 25.

An Act to modify the requirements of the enactments relating to public notaries with respect to articled clerks who have served in His Majesty's Forces or in other public service or have been prisoners of war or interned in connection with the present war. [22nd July 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Reckoning of time of war service as service under articles.

1. Notwithstanding anything in the enactments relating to public notaries, if any person has been engaged in war service and is bound by articles of clerkship, the period or the aggregate of the periods during which he has been so engaged shall, if

such person has in other respects complied with the said enactments, be reckoned for all purposes as if it had been time during which he had served pursuant to such articles as clerk to a public notary:

Provided that no such person shall be capable of being sworn, admitted or enrolled as a public notary unless, in addition to being so engaged, he has actually served pursuant to such articles for a term of two years as a clerk or apprentice to a public notary.

Power to exempt from proof of competency.

2. The Master of the Faculties may, where owing to circumstances arising out of or connected with the present war he sees fit so to do, exempt any person or persons from compliance with the enactments and rules for the time being in force with respect to the requirement of certificates or proofs as to the competency of any persons applying for admission or re-admission as public notaries, and any such exemption may be total or partial and may be granted subject to any such conditions as may be imposed.

Meaning of "war service" and "articles of clerkship."

3. In this Act:—

The expression "war service" means service in any of His Majesty's forces, or in any other public service, and includes detention as a civil or military prisoner in any enemy country and internment in any enemy or neutral country, provided that such service, detention or internment is in consequence of or connected with the present war, and that the Master of the Faculties is satisfied as to the fact and length of such service, detention or internment and has approved the character of such public service; and

The expression "articles of clerkship" means a contract in writing or indenture of apprenticeship pursuant to the Public Notaries Act, 1801, as amended by the Public Notaries Act, 1843, to serve as a clerk or apprentice to a public notary where the articles are entered into at any time before or during the present war, or within one year after the termination thereof, or where the Master of the Faculties is satisfied in any particular case that a person has been retained in war service after the termination of the present war, within one year after the termination of such war service.

41 Geo. 3. c. 79.
6 & 7 Vict. c. 90.

Short title, citation and extent.

4.—(1) This Act may be cited as the Public Notaries (Articled Clerks) Act, 1919; and the Public Notaries Act, 1801, the Public Notaries Act, 1833, and the Public Notaries Act, 1843, and this Act may be cited together as the Public Notaries Acts, 1801 to 1919.

3 & 4 Will. 4. c. 70.

(2) This Act shall not extend to Scotland or Ireland.

CHAPTER 26.

An Act to amend the Law with respect to Bonds given by persons to whom administration is granted.

[22nd July 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendments of law with respect to bonds given by administration 20 & 21 Vict. c. 77.

1.—(1) The bond required under section eighty-one of Court of Probate Act, 1857, to be given by a person to whom a grant of administration has been committed may, during any vacancy in the office of President of the Probate, Divorce and Admiralty division of the High Court, be given to a registrar of the principal probate registry.

(2) The powers of a district registrar under the said Act to require sureties to such a bond, and to reduce the amount of such a bond, and to limit the liability of a surety shall be exercisable in the case of a grant of administration from the principal probate registry by a registrar of that registry.

(3) An application for the assignment of such a bond to some person in order to enable him to sue on it may be made to a registrar of the principal probate registry on summons.

(4) For the purpose of carrying out the provisions hereinbefore contained, the sections of the said Act mentioned in the first column of the Schedule to this Act shall have effect, subject to the amendments therein specified in the second column of that schedule.

Short title.

2. This Act may be cited as the Grant of Administration (Bonds) Act, 1919.

Section 1.

SCHEDULE.

AMENDMENTS OF COURT OF PROBATE ACT, 1857.

Section.	
81	After the words "judge of the Court of Probate" there shall be inserted the words "or in the case of a vacancy in that office to a registrar of the principal Probate Registry", and for the words "in the case of a grant from the district registry the district registrar" there shall be substituted the words "a registrar".
82	For the words "district registrar," wherever they occur, there shall be substituted the words "a registrar".
83	For the words "motion or petition in a summary way", there shall be substituted the word "summons", the words "order one of the registrars of the court to" shall be omitted, and after the words "judge of the court" there shall be inserted the words "or a registrar".

CHAPTER 27.

An Act to extend the provisions of section one of the Solicitors (Articled Clerks) Act, 1918. [22nd July 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of section 1 of 8 & 9 Geo. 5. c. 16.

1. Section one of the Solicitors (Articled Clerks) Act, 1918, which provides for the reckoning of certain periods of service in connection with the present war, and of periods of detention or internment (hereinafter referred to as "war service"), as service as an articled clerk, shall apply to any person who becomes an articled clerk at any time during the continuance of the present war or before the expiration of one year after the termination thereof, as it applies to an articled clerk:

Provided that—

(*a*) in the application of this section to the case of a person whose term of service is regulated by section two of the Solicitors Act, 1860, or any enactment amending that section, three years shall be substituted for one year; 23 & 24 Vict. c. 127.

(*b*) where the Law Society is satisfied in any particular case that a person has been retained in war service after the termination of the present war, this section shall have effect with respect to such person as if the termination of his war service had been therein substituted for the termination of the war; and

(*c*) where a person has become an articled clerk after the termination of his war service, his war service shall, for the purposes of the said section one as amended by this section, be reckoned only to such extent as will leave a period of two years to be actually served by him pursuant to his articles, and, where a person has become an articled clerk during the course of his war service, the whole of that part of his war service which takes place after he was articled shall be reckoned for the said purposes, but that part of his war service which took place before he was articled shall be reckoned only to such extent as aforesaid.

Short title, citation, and extent.

2.—(1) This Act may be cited as the Solicitors (Articled Clerks) Act, 1919, and shall be construed as one with the Solicitors (Articled Clerks) Act, 1918, and the Solicitors Acts, 1839 to 1918, and this Act may be cited together as the Solicitors Acts, 1839 to 1919.

(2) This Act shall not extend to Scotland or Ireland.

CHAPTER 28.

An Act to enable the competent courts in the United Kingdom to entertain matrimonial proceedings in respect of certain marriages contracted during the war by members of His Majesty's Forces domiciled outside the United Kingdom. [22nd July 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to entertain proceedings.

1. Where a marriage has been contracted in the United Kingdom during the present war by a member of His Majesty's Forces domiciled in any of His Majesty's possessions or protectorates to which this Act applies, the competent court in that part of the United Kingdom where the marriage took place shall, any question of domicile or residence notwithstanding, have full jurisdiction and power to entertain, hear and determine any of the matrimonial proceedings specified in the Schedule to this Act, where such proceedings are instituted by either party to the marriage, and to make decrees and orders in relation to such proceedings, as though the parties to the marriage were domiciled or (where the jurisdiction of the court depends upon residence) resident in that part of the United Kingdom:

Provided that this Act shall not apply in any case where the parties to the marriage have at any time since the marriage resided together in the country of the husband's domicile.

For the purposes of this section, "the competent court" means, as respects England and Ireland the High Court, and as respects Scotland the Court of Session.

Application of Act.

2. This Act applies—

(*a*) to any self-governing dominion, as from such date as may be prescribed by the legislature of that dominion in any declaration or enactment which may be passed applying this Act to such dominion;

(*b*) to any of His Majesty's possessions, not being a self-governing dominion, and to any territory under His Majesty's protection, as from such date as may be prescribed by Order in Council applying this Act to that possession or territory.

The expression "self-governing dominion" means the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland.

Short title, construction, saving, and duration.

33 & 34 Vict. c. 110.

3.—(1) This Act shall, in its application to England, be construed as one with the Matrimonial Causes Acts, 1857 to 1907, and those Acts and this Act may be cited together as the Matrimonial Causes Acts, 1857 to 1919, and this Act shall, in its

application to Ireland, be construed as one with the Matrimonial Causes and Marriage Laws (Ireland) Amendment Acts, 1870 and 1871, and those Acts and this Act may be cited together as the Matrimonial Causes and Marriage Laws (Ireland) Amendment Acts, 1870 to 1919; and this Act may be cited separately as the Matrimonial Causes (Dominions Troops) Act, 1919. 34 & 35 Vict. c. 49.

(2) Nothing in this Act shall prejudice or affect the jurisdiction of any court with respect to matrimonial proceedings, other than that conferred by this Act.

(3) This Act shall not apply to proceedings commenced after the expiration of one year from the passing thereof.

SCHEDULE.

Section 1.

MATRIMONIAL CAUSES.

In England, proceedings for divorce, judicial separation, and restitution of conjugal rights.

In Scotland, proceedings for divorce, separation a mensâ et thoro, and adherence.

In Ireland, proceedings for divorce a mensâ et thoro, restitution of conjugal rights, and criminal conversation.

CHAPTER 29.

An Act to amend the Weights and Measures Acts, 1878 to 1904, in relation to instruments for measuring leather by superficial area. [22nd July 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Instruments for measuring leather by superficial area.

1.—(1) The powers and duties of the Board of Trade under section six of the Weights and Measures Act, 1904, in relation to certificates of suitability for use of certain appliances, shall extend to instruments for measuring the superficial area of leather and patterns thereof, and that section shall have effect accordingly. 4 Edw. 7. c. 28.

(2) The powers of the Board under section five of the aforementioned Act to make regulations with respect to measuring instruments shall include power—

(*a*) to make the like regulations with respect to any instruments of a pattern certified by the Board of Trade in pursuance of the powers conferred by this Act; and

(*b*) to make regulations for applying to any instrument of a pattern so certified any of the provisions of the Weights and Measures Acts, 1878 to 1904, with respect to weighing machines, weighing instruments, or measuring instruments; and

(*c*) to make general regulations for carrying into effect the provisions of those Acts and this Act in relation to instruments of a pattern so certified.

Citation, construction, and commencement.

2.—(1) This Act may be cited as the Weights and Measures Leather Measurement) Act, 1919, and shall be construed as one with the Weights and Measures Acts, 1878 to 1904; and those Acts and this Act may be cited together as the Weights and Measures Acts, 1878 to 1919.

(2) This Act shall come into operation on the first day of January nineteen hundred and twenty.

CHAPTER 30.

An Act to enable the Official Solicitor for the time being to exercise powers and perform duties conferred or imposed on the person holding the office of Official Solicitor. [22nd July 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers and duties of Official Solicitor for the time being.

1. Where under or by virtue of any order, grant, or appointment (whether made before or after the passing of this Act) any powers and duties have been or are hereafter conferred or imposed on the Official Solicitor to the Supreme Court in England, then, unless and until the Supreme Court or a judge thereof, or in matters and proceedings in lunacy a judge or master in lunacy, otherwise directs in any particular case, those powers may be exercised and those duties shall be performed by the holder of the office for the time being, and no further order or appointment shall be necessary by reason only of the person on whom the powers and duties were conferred or imposed dying or ceasing to hold office, and any bond entered into by the Official Solicitor as such in connection with any grant of administration shall be binding on the holder of the office for the time being, and any property vested in the Official Solicitor as such shall, on his dying or ceasing to hold office, without any conveyance, assignment or transfer, become vested in his successor in like manner as it was vested in him.

Short title.

2. This Act may be cited as the Official Solicitor Act, 1919.

CHAPTER 31.

An Act to provide for the information to occupiers of the amount of the rates payable for the houses which they occupy. [22nd July 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provisions with respect to demands and receipts for rent in which any sum for rates is included.

1.—(1) From and after the date hereinafter named every document containing a demand for rent or receipt for rent, which includes any sum for rates paid or payable under any statutory enactment by the owner instead of the occupier, shall state either the annual, half yearly, quarterly, monthly, or weekly amount of such rates paid or payable in accordance with the last demands received by the owner from the rating authorities at the time of making his demand or giving his receipt in respect of the hereditament in question: Provided that, where such a statement as is required by this section has been furnished in connection with a demand for rent or receipt for rent in respect of a particular period, it shall not be necessary to furnish the statement upon any subsequent demand for rent or receipt for rent in respect of that period.

(2) This Act shall not apply to weekly lettings at inclusive rentals in any market established under or controlled by statute.

Definition

2. The expressions "demand for rent" and "receipt for rent" shall include a rent-book, rent-card and any document used for the notification or collection of rent due or for the acknowledgment of the receipt of the same.

Penalty.

3. If any person makes a demand for rent or gives a receipt for rent in contravention of this Act, he shall, in respect of each offence, be liable on summary conviction to a fine of not exceeding forty shillings.

Short title, commencement and extent.

4.—(1) This Act may be cited as the Statement of Rates Act, 1919.

(2) This Act shall come into operation on the first day of January nineteen hundred and twenty.

(3) This Act shall not extend to Scotland or Ireland.

CHAPTER 32.

An Act to grant certain duties of Customs and Inland Revenue, including Excise, to alter other duties, and to amend the Law relating to Customs and Inland Revenue, including Excise, and the National Debt, and to make further provisions in connection with Finance. [31st July 1919.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

CUSTOMS AND EXCISE.

Continuation of customs duties imposed under 5 & 6 Geo. 5. c. 89.

1. The following duties of customs, imposed by Part I. of the Finance (No. 2) Act, 1915, shall, subject as hereinafter provided, continue to be charged, levied, and paid, in the case of the new import duties until the first day of May nineteen hundred and twenty, and in the case of any other duties until the first day of August nineteen hundred and twenty, that is to say:—

Duty.	Section of Act.
Increased duty on tea	1
Additional duties on dried fruit	8
Additional duty on motor spirit	10 (1)
New import duties	12

Continuation of increased medicine duties.

2. The additional duties of excise imposed by section eleven of the Finance (No. 2) Act, 1915, upon medicine liable to duty shall continue to be charged, levied and paid until the first day of August nineteen hundred and twenty.

Increase in spirit duties.

3.—(1) In lieu of the duties of customs payable on spirits imported into Great Britain or Ireland, there shall, as from the first day of May nineteen hundred and nineteen, be charged, levied and paid, subject as hereinafter provided, the duties

specified in Part I. of the First Schedule to this Act, together with the additional duties specified in Part II. of that Schedule.

(2) In lieu of the excise duty payable for every gallon computed at proof of spirits distilled in Great Britain or Ireland there shall, as from the first day of May nineteen hundred and nineteen, be charged, levied and paid an excise duty of two pounds and ten shillings, together with the additional duties specified in Part III. of the First Schedule to this Act.

And so in proportion for any less quantity.

Increased customs duties on beer.

4.—(1) In lieu of the duties of customs payable on beer of the descriptions called or similar to mum, spruce or black beer, or Berlin white beer, or other preparations, whether fermented or not fermented, of a similar character imported into Great Britain or Ireland, there shall, as from the first day of May nineteen hundred and nineteen, be charged, levied and paid the following duties (that is to say):—

	£	*s.*	*d.*
For every thirty-six gallons of beer where the worts thereof are, or were before fermentation, of a specific gravity—			
Not exceeding one thousand two hundred and fifteen degrees - - -	14	2	0
Exceeding one thousand two hundred and fifteen degrees - - - -	16	10	5

(2) In lieu of the duties of customs payable on every description of beer other than that specified in the preceding subsection imported into Great Britain or Ireland there shall, as from the first day of May nineteen hundred and nineteen, be charged, levied and paid the following duty (that is to say):—

	£	*s.*	*d.*
For every thirty-six gallons where the worts thereof were before fermentation of a specific gravity of one thousand and fifty-five degrees -	3	10	6

(3) In lieu of the customs drawback now payable there shall be allowed and paid on the exportation, shipment for use as stores, or removal to the Isle of Man of beer imported into Great Britain or Ireland, on which it is shown that the increased customs duty charged by this Act has been paid, a drawback calculated according to the original gravity thereof (that is to say):—

	£	*s*	*d.*
For every thirty-six gallons of an original gravity of one thousand and fifty-five degrees the drawback of - - - - - -	3	10	3

(4) In the case of beer which is of a gravity different from the gravity aforesaid, the duty or the drawback, as the case may be, shall be varied proportionately.

Increased excise duty on beer.

5. In lieu of the duty of excise payable in respect of beer brewed in Great Britain or Ireland there shall, as from the first

day of May nineteen hundred and nineteen, be charged, levied and paid—

	£	s.	d.
For every thirty-six gallons of worts of a specific gravity of one thousand and fifty-five degrees the duty of - - - - - -	3	10	0

and in lieu of the drawback of excise payable in respect of beer exported from Great Britain or Ireland, as merchandise or for use as ship's stores, there shall be allowed and paid in respect of beer on which it is shown that the increased excise duty charged by this Act has been paid a drawback calculated according to the original gravity thereof (that is to say):—

	£	s.	d.
For every thirty-six gallons of beer of an original gravity of one thousand and fifty-five degrees the drawback of - - - - -	3	10	3

and so, as to both duty and drawback, in proportion for any difference in quantity or gravity.

Increase in duty on private brewers licences.

6.—(1) In lieu of the existing duties upon licences to be taken out annually by brewers of beer other than brewers for sale there shall, on and after the first day of October nineteen hundred and nineteen, be charged, levied and paid the following duties of excise (that is to say):—

	£	s.	d.
If the beer brewed by the brewer is chargeable with duty - - - - - -	0	4	0
If the beer brewed by the brewer is not chargeable with duty, then—			
(*a*) where the brewer is the occupier of a house of an annual value exceeding ten pounds, but not exceeding fifteen pounds - - - - -	2	10	0
(*b*) where the brewer is the occupier of a house of an annual value of ten pounds or less - - - - -	1	5	0

Provided that, where the brewer is the occupier of a house of an annual value of eight pounds or less, he may between the thirtieth day of April and the thirty-first day of August in any year obtain without payment of duty a licence to brew a quantity not exceeding two bushels of malt, or the equivalent thereof, for his own use in the course of his employment on harvest work.

(2) If the annual value of the house occupied by a brewer of beer other than a brewer for sale does not exceed ten pounds, duty shall not be charged on beer brewed by him, and if the annual value of the house occupied by him exceeds ten pounds and does not exceed fifteen pounds, duty shall not be charged upon beer brewed by him provided that he brews solely for his own domestic use.

Alteration of entertainment duty. 6 & 7 Geo. 5. c. 11. 7 & 8 Geo. 5. c. 31. 8 & 9 Geo. 5. c. 15.

7. On and after the first day of October nineteen hundred and nineteen, section one of the Finance (New Duties) Act, 1916, as amended by section three of the Finance Act, 1917, and section eleven of the Finance Act, 1918, shall have effect as if for the words—

"exceeds 4*d.* and does not exceed 7*d.*	-	- twopence"

there were substituted the words—

"exceeds 4*d.* and does not exceed 4½*d.*	-	- one penny and a halfpenny.
,, 4½*d.* ,, ,, 7*d.*	-	- twopence."

Imperial preference.

8.—(1) With a view to conferring a preference in the case of Empire products, the duties of customs on the goods specified in the Second Schedule to this Act shall, on and after the dates provided for in that schedule, be charged at the reduced rates (hereinafter referred to as "preferential rates") shown in the second column of that schedule, where the goods are shown to the satisfaction of the Commissioners of Customs and Excise to have been consigned from and grown, produced or manufactured in the British Empire.

For the purposes of this section—

"The British Empire" means any of His Majesty's dominions outside Great Britain and Ireland, and any territories under His Majesty's protection, and includes India:

Provided that, where any territory becomes a territory under His Majesty's protection, or is a territory in respect of which a mandate of the League of Nations is exercised by the Government of any part of His Majesty's dominions, His Majesty may by Order in Council direct that that territory shall be included within the definition of the British Empire for the purposes of this section, and this section shall have effect accordingly.

Goods shall not be deemed to have been manufactured in the British Empire as aforesaid unless such proportion of their value as is prescribed by regulations made by the Board of Trade is the result of labour within the British Empire.

(2) Where the Board of Trade is satisfied as respects any class of goods to which the preferential rates apply that those articles are to a considerable extent manufactured in the British Empire from material which is not wholly grown or produced in the Empire, the Board may by order direct that the preferential rate shall be charged only in respect of such proportion of those goods as corresponds to the proportion of dutiable material used in their manufacture which is shown to have been grown or produced in the Empire.

(3) Where goods are manufactured in a bonded factory in Great Britain or Ireland from dutiable material shown to the satisfaction of the Commissioners of Customs and Excise to have

been consigned from and grown or produced in the British Empire, the duty on the manufactured goods shall, to the extent to which they are shown to have been manufactured out of such material, be charged at the preferential rate.

(4) Any Order in Council or regulations made under this section shall be laid before each House of Parliament forthwith, and, if an Address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after the Order or the regulations are laid before it, praying that the Order or regulations may be annulled, His Majesty in Council may annul the Order or regulations, and the order or regulations shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Reduced excise duties.

9. On and after the first day of September nineteen hundred and nineteen the following excise duties shall be reduced by one-sixth, that is to say, the excise duties payable on tobacco, sugar, molasses, glucose, saccharin and chicory.

Modifications of drawbacks.

10. Where the duty of customs or excise on any chicory, coffee, tobacco or molasses, or in respect of the material from which any molasses is produced, is payable under this Act at a reduced rate, any drawback or allowance payable in respect thereof shall be reduced to an amount bearing to such drawback or allowance the same proportion as the rate payable under this Act bears to the full rate or the former rate (as the case may be).

Spirits used in medical preparations or for scientific purposes.

11. Section four of the Finance Act, 1918 (which provides for the reduction and allowance of duty in respect of spirits used in medical preparations or for scientific purposes), shall apply to the duties on spirits imposed by this Act as it applies to duties on spirits imposed by that Act as though it were herein set out and expressly made applicable thereto, with the substitution for the sums specified in that section as the amount of reduction of duty or repayment of duty of such sums as will reduce the amount of duty payable under this Act to the amount of duty which was payable immediately before the increase of duties on spirits provided for by the Finance Act, 1918.

Repeal of excise duties on motor spirit and motor spirit licence duties.

12.—(1) As from the first day of May nineteen hundred and nineteen, the excise duties upon motor spirit made in Great Britain or Ireland, and on the licence to be taken out annually by a manufacturer of motor spirit, shall cease to be chargeable.

(2) As from the seventeenth day of May nineteen hundred and nineteen, sections fifteen and sixteen of the Finance Act, 1916, which relate to motor spirit licence duty shall cease to have effect.

6 & 7 Geo. 5. c. 24.

Nothing in this subsection shall affect the right of any person to obtain a repayment of duty under the said section

fifteen, if he claims repayment before the seventeenth day of August nineteen hundred and nineteen.

Restriction on delivery of goods from bond.

13. The powers of the Treasury under section fifteen of the Finance (No. 2) Act, 1915 (which relates to the restriction on the delivery of goods from bond), shall be exerciseable without any limit of time, and accordingly in that section the words "During the continuance of the present war and for a period of twelve months thereafter" shall cease to have effect.

PART II.

INCOME TAX.

Income tax for 1919-20.

8 & 9 Geo. 5. c. 40.

14.—(1) Income tax for the year 1919–20 shall be charged at the rate of six shillings, and the rates of super-tax for the purposes of section four of the Income Tax Act, 1918, and the rates of tax for the purposes of sections fourteen and fifteen of that Act (which relate respectively to relief in respect of earned income where the income does not exceed two thousand five hundred pounds, and relief in respect of unearned income where the income does not exceed two thousand pounds), shall be the same for that year as for the year 1918–19.

(2) The annual value of any property which has been adopted for the purpose either of income tax under Schedules A. and B., or of inhabited house duty, for the year 1918–19, shall be taken as the annual value of that property for the same purpose for the year 1919–20; provided that this subsection—

(*a*) So far as respects the duty on inhabited houses in Scotland, shall be construed by reference to a year of assessment ending on the twenty-fourth day of May instead of on the fifth day of April; and

(*b*) shall not apply to lands, tenements, and hereditaments in the administrative county of London with respect to which the valuation list under the Valuation (Metropolis) Act, 1869, is, by that Act, made conclusive for the purposes of income tax and inhabited house duty.

32 & 33 Vict. c. 67.

Continuation of relief.

15. The following sections of the Income Tax Act, 1918, are hereby continued in force as respects the year 1919–20, that is to say:—

Section of Act.	Subject Matter.
42	Reduced rates of tax and other relief applicable to the service pay of sailors, soldiers and others.
43	Relief in respect of diminution of profits or gains due to the war.
44	Relief where income of year falls short of assessed income by more than ten per cent.
50	Provision for postponement of payment of super-tax where income has diminished.
55	Relief in respect of colonial income tax.

Exemption in respect of wounds and disability pensions.

16.—(1) Income from wounds and disability pensions to which this section applies shall be exempt from income tax (including super-tax) and shall not be reckoned in computing income for any of the purposes of the Income Tax Acts, for the year 1918–19, or any succeeding year of assessment.

(2) This section applies to—

(*a*) wounds pensions granted to members of the naval, military, or air forces of the Crown;

(*b*) retired pay of disabled officers granted on account of medical unfitness attributable to or aggravated by naval, military or air-force service;

(*c*) disablement or disability pensions granted to members, other than commissioned officers, of the naval, military, or air forces of the Crown on account of medical unfitness attributable to or aggravated by naval, military or air-force service;

(*d*) disablement pensions granted to persons who have been employed in the nursing services of any of the naval, military, or air forces of the Crown on account of medical unfitness attributable to or aggravated by naval, military or air-force service;

(*e*) injury and disablement pensions payable under any scheme made under the Injuries in War (Compensation) Act, 1914, the Injuries in War Compensation Act, 1914 (Session 2), and the Injuries in War (Compensation) Act, 1915, or under any War Risks Compensation Scheme for the Mercantile Marine:

4 & 5 Geo. 5. c. 30.
5 Geo. 5. c. 18.
5 Geo. 5. c. 24.

Provided that, where the amount of any retired pay or pension to which this section applies is not solely attributable to disablement or disability, the relief conferred by this section shall extend only to such part as is certified by the Minister of Pensions, after consultation with the appropriate Government Department, to be attributable to disablement or disability.

(3) If any person has paid income tax or super-tax of an amount exceeding that which he would have been liable to pay if this section had been in force, he shall, on proof of the facts to the satisfaction of the Commissioners having jurisdiction in the matter, be entitled to repayment of the excess.

Exemption in respect of certain war gratuities.

17.—(1) War gratuities to which this section applies shall be exempt and shall be deemed to have been exempt since the fourth day of August nineteen hundred and fourteen, from income tax (including super-tax), and shall not be reckoned in computing income for any of the purposes of the Income Tax Acts.

(2) This section applies to gratuities paid in respect of service in connection with the present war to members of any of the naval, military, or air forces of the Crown, or to persons who have been employed in the nursing services of any of those forces; and benefits on demobilisation paid to officers and

members of Queen Mary's Auxiliary Army Corps, the Women's Royal Naval Service and the Women's Royal Air Force; and demobilisation payments to employees of the Joint War Committee of the British Red Cross Society and the Order of St. John of Jerusalem in England.

(3) If any person has paid income tax or super-tax of an amount exceeding that which he would have been liable to pay if this section had been in force, he shall, on proof of the facts to the satisfaction of the Commissioners having jurisdiction in the matter, be entitled to repayment of the excess notwithstanding anything in section forty-one of the Income Tax Act, 1918.

Allowance in respect of mills, factories, &c.

18.—(1) In estimating the amount of annual profits or gains arising or accruing from any trade the profits of which are chargeable to tax under Case I. of Schedule D, there shall, notwithstanding anything in Rule 5 of the rules applicable to Cases I. and II. of Schedule D, be allowed to be deducted, as expenses incurred in any year, on account of any mills, factories, or similar premises owned by the person carrying on such trade and occupied by him for the purposes of the said trade, and situate outside the United Kingdom, a deduction equal to one-sixth of the annual value of those premises.

(2) In estimating the profits for any year of any of the concerns enumerated in Rules 1, 2, and 3 of No. III. of the rules applicable to Schedule A, there shall be allowed to be deducted, as expenses incurred in any year, on account of any mills, factories, or similar premises owned by the person carrying on the concern, and occupied by him for the purposes of such concern, a deduction equal to one-sixth of the annual value of those premises.

(3) Annual value for the purposes of this section shall be estimated according to the principles governing the estimation of the annual value for the purposes of Schedule A of mills, factories and similar premises in the United Kingdom.

Further provision as to allowances for repairs.

19. The houses to which Rule 8 of No. V. in Schedule A (which confers relief in certain cases in respect of the cost of maintenance, repairs, insurance, and management of houses) applies, shall be any house the annual value of which, as adopted under Schedule A, does not exceed—

(*a*) where the house is situate in the Metropolitan police district, including the City of London, seventy pounds;

(*b*) where the house is situate in Scotland, sixty pounds; and

(*c*) where the house is situate elsewhere, fifty-two pounds;

and subsection (3) of the said Rule 8 shall be amended accordingly:

Provided that no repayment of tax shall be made under the said Rule 8 in respect of the cost of maintenance, repairs, insurance, or management, if or to such extent as the said cost

has been otherwise allowed as a deduction in computing income for the purposes of income tax.

Extension of relief in respect of colonial income tax.

20. Section fifty-five of the Income Tax Act, 1918, and (so far as still applicable) section forty-three of the Finance Act, 1916 (which provide for certain relief in respect of Colonial income tax) shall have effect, and shall be deemed always to have had effect, as though references to "any British possession" included references to any territory under His Majesty's protection.

Extension of relief in respect of children, &c.

21.—(1) An individual who claims and proves in the manner prescribed by the Income Tax Acts—

(*a*) that his total income from all sources for the year of assessment, estimated in accordance with the provisions of those Acts, although exceeding one hundred and thirty pounds does not exceed eight hundred pounds; and

(*b*) that he is unmarried and has living with him either his mother (being a widow or living apart from her husband), or some other female relative, maintained by him at his own expense, for the purpose of having the charge and care of any brother or sister of his, being a child in respect of whom relief is given under section twelve of the Income Tax Act, 1918; and

(*c*) that no other individual is entitled to relief from income tax in respect of the same person under this section, and that neither he nor any other individual is entitled to relief in respect of the same person under section twelve or section thirteen of the Income Tax Act, 1918, or if any other individual is entitled to any such relief that the other individual has relinquished his claim thereto;

shall be entitled in respect of his mother or such female relative to relief from tax upon fifty pounds.

(2) The relief conferred in respect of children by section twelve of the Income Tax Act, 1918, shall be extended—

(*a*) so as to include relief in respect of any child over the age of sixteen at the commencement of the year of assessment who is proved to be receiving full-time instruction at any university, college, school, or other educational establishment; and

(*b*) so as to provide relief in respect of one child from tax upon forty pounds and in respect of any child in excess of one from tax upon twenty-five pounds:

and that section and section thirteen of that Act and this section shall have effect accordingly:

Provided that, in cases of doubt as to the application of paragraph (*a*) of this subsection, it shall be competent for the Commissioners of Inland Revenue, on the request of the

Income Tax Commissioners concerned, to consult the Board of Education.

In the application of this subsection to Scotland and Ireland, the Scottish Education Department and the Lord Lieutenant, respectively, shall be substituted for the Board of Education.

(3) All claims under this section shall be made and proved in accordance with section twenty-eight or (in Ireland) section two hundred and two of the Income Tax Act, 1918.

Relief in respect of houses occupied by ministers of religion.

22. Where a clergyman or minister of any religious denomination occupies a dwelling house rent free by virtue of his office in such circumstances that the annual value of the house does not fall to be regarded as part of his income, he shall be entitled, on giving notice to the surveyor of taxes not later than the thirtieth day of September in any year, or, where the occupation of such clergyman or minister commenced after the thirtieth day of June, before the expiration of three months after the date of the commencement of such occupation, to require that the annual value of the house, after deducting therefrom the amount of any annual sum payable in respect of such house, shall for all purposes of income tax for that year be treated as earned income of such clergyman or minister.

In this section the expression "annual sum" has the same meaning as in Rule 4 (2) of No. VIII. of the rules applicable to Schedule A.

Amendment of s. 26 of 8 & 9 Geo. 5. c. 40.

23. The proviso to section twenty-six of the Income Tax Act, 1918 (which provides for the cases in which an individual, though not resident in the United Kingdom, is to receive relief from income tax), shall have effect as though for the words "any widow who is in receipt of a pension chargeable with tax " and granted to her in consideration of the employment of her " late husband in the service of the Crown" there were substituted the words "any widow whose late husband was in the service of the Crown."

Income tax on war savings certificates.

24. Subsection (2) of section forty-seven of the Income Tax Act, 1918 (which provides for relief from income tax in the case of certain war savings certificates), shall have effect as though "any Act" were substituted for "section forty-one of the Finance Act, 1918."

Tax on income from converted Government securities.

25. Where the income which any individual is required under the Income Tax Acts to include in a statement of his total income from all sources for the purposes of income tax or super-tax for any year includes both—

(i) interest received without deduction of income tax in respect of securities (in this section referred to as "original securities") which have been accepted as the equivalent of cash in payment for fully-paid allotments of Four Pounds per Cent. Victory Bonds or Four Pounds per Cent. Funding Loan, 1960–90 (in

this section referred to as "substituted securities"); and

(ii) interest taxed by deduction in respect of such substituted securities;

and the amount of the interest so included exceeds the full amount of the interest for a complete year on the original securities; then, if that individual so requires, the excess—

(*a*) shall not be taken into account in ascertaining the total income from all sources of that individual for that year for the purposes of income tax or super-tax; but

(*b*) shall nevertheless be chargeable to income tax or super-tax for that year at such rate or rates and subject to such reliefs, if any, as would be applicable if such excess constituted the highest part of an income equal in amount to the amount of the total income of that individual exclusive of such excess.

Amendment of law as to separate assessment of husband and wife.

26. The sixth day of July shall be substituted for the sixth day of May in section eight of the Income Tax Act, 1918 and in rule seventeen of the general rules as the date before which an application for separate assessment of husband and wife must be made under those provisions; and an application for the purposes of those provisions may in the case of persons marrying during the course of a year of assessment be made as regards that year at any time before the sixth day of July in the following year; and those provisions shall have effect accordingly.

Extension of relief in respect of wife and other relatives.

27.—(1) Fifty pounds shall be substituted for twenty-five pounds in section thirteen of the Income Tax Act, 1918, as the amount upon which relief shall be granted under that section in respect of a wife, or a female relative of a widower or of his deceased wife.

(2) The relief conferred by the said section thirteen, as amended by this Act, in respect of the female relative of a widower, or of his deceased wife, who resides with him for the purpose of having the charge and care of any child of his, shall be extended so as to confer relief in respect of any such female relative who resides with him in the capacity of housekeeper and not for the purpose of having the charge or care of any child of his:

Provided that any relief in respect of a female relative under the said section shall be conditional on proof being given that no other individual is entitled to relief from income tax in respect of the same person under the said section thirteen, or under section twelve of the same Act, or under this Act, or if any other individual is entitled to any such relief that the other individual has relinquished his claim thereto.

Interpretation.

28. In this Part of this Act, and in any subsequent enactment relating to income tax, except where otherwise expressly provided—

References to Schedule A, B, C, D, or E (respectively) shall be construed as references to those Schedules in the Income Tax Act, 1918, as amended by any subsequent enactment;

The expression "the general rules" means the general rules applicable to Schedules A, B, C, D, and E, set out in the First Schedule to the Income Tax Act, 1918, as amended by any subsequent enactment;

The expression "the year 1919-20" means the year of assessment beginning on the sixth day of April nineteen hundred and nineteen, and any corresponding expression in which two years are similarly mentioned means the year of assessment beginning on the sixth day of April in the first mentioned of those years;

The expression "earned income" has the meaning assigned to it in section fourteen of the Income Tax Act, 1918;

The expression "the Income Tax Acts" means the Income Tax Act, 1918, and any other enactments relating to income tax.

PART III.

DEATH DUTIES.

Amended rates of estate duty.

29. The scale set out in the Third Schedule to this Act shall, in the case of persons dying after the commencement of this Act, be substituted for the scale set out in the First Schedule to the Finance Act, 1914, as the scale of rates of estate duty:

4 & 5 Geo. 5. c. 10.

Provided that, where an interest in expectancy within the meaning of Part I. of the Finance Act, 1894, in any property has, before the thirtieth day of April nineteen hundred and nineteen been bonâ fide sold or mortgaged for full consideration in money or money's worth, then no other duty on that property shall be payable by the purchaser or mortgagee when the interest falls into possession than would have been payable if this Part of this Act had not passed, and in the case of a mortgage any higher duty payable by the mortgagor shall rank as a charge subsequent to that of the mortgagee.

57 & 58 Vict. c. 30.

Interest on death duties. 59 & 60 Vict. c. 28.

30. Section eighteen of the Finance Act, 1896 (which determines the rate of interest on death duties) shall, in its application to interest accruing due after the commencement of this Act, have effect as though four per cent. were substituted for three per cent. as the rate of interest per annum.

Extension of relief from death duties in case of persons

31. Section fourteen of the Finance Act, 1900 (which relates to the remission of death duties in case of persons killed in war), and any enactment amending or extending that section, shall, in

killed in the war. 63 & 64 Vict. c. 7.

their application to the present war, have effect and be deemed always to have had effect as though—

(*a*) three years were substituted for twelve months wherever that expression occurs; and

(*b*) in the said section fourteen the expression "wounds inflicted, accident occurring or disease contracted while on active service against an enemy" included wounds inflicted, accident occurring or disease contracted in the course of operations arising directly out of the present war, but after its termination.

PART IV.

EXCESS PROFITS DUTY.

Continuance of excess profits duty at decreased rate.

32.—(1) The Finance (No. 2) Act, 1915 (in this Part of this Act referred to as "the principal Act"), shall, so far as it relates to excess profits duty, apply, unless Parliament otherwise determines, to any accounting period ending on or after the first day of August nineteen hundred and nineteen, and before the fifth day of August nineteen hundred and twenty, as it applies to accounting periods ended after the fourth day of August nineteen hundred and fourteen, and before the first day of August nineteen hundred and nineteen.

(2) Section thirty-eight of the principal Act shall, as respects excess profits arising in any accounting period commencing on or after the first day of January nineteen hundred and nineteen, have effect as if forty per cent. of the excess were substituted as the rate of duty for eighty per cent. of the excess, or, in the case of an accounting period which commenced before that date but ends after that date, as if forty per cent. were substituted for eighty per cent. as respects so much of the excess as may be apportioned under this Part of this Act to the part commencing on that date.

In calculating any repayment or set off under subsection (3) of section thirty-eight of the principal Act, any amount to be repaid or set off on account of a deficiency or loss arising in any accounting period commencing on or after the first day of January, nineteen hundred and nineteen, or, in the case of an accounting period which has commenced before that date but ends after that date, on account of so much of the deficiency or loss as may be apportioned under this Part of this Act to the part commencing on that date, shall be calculated by reference to duty at the rate of forty per cent.

Decrease of rate of excess mineral rights duty.

33.—(1) Section forty-three of the principal Act (which relates to excess mineral rights duty) shall have effect as if forty per cent. of the excess were substituted as the rate of duty for eighty per cent. for any accounting year commencing on or after the first day of January, nineteen hundred and nineteen, or, in the case of an accounting year which commenced before that date but ends after that date, as if forty per cent. were substituted for eighty per cent. as respects so much of the excess as may be

apportioned under this Part of this Act to the part commencing on that date.

(2) The proviso to section twenty-one of the Finance Act, 1917, shall apply to any accounting year in respect of which or any part of which excess mineral rights duty is payable at the rate of forty per cent., as it applies where the said duty is payable at the rate of eighty per cent.

Extension of relief in respect of Colonial excess profits duty.

34. Section twenty-three of the Finance Act, 1917 (which provides for relief in respect of Colonial excess profits duty), shall have effect, and shall be deemed always to have had effect, as though references to His Majesty's possessions included references to any territory under His Majesty's protection.

Apportionment of accounting periods and years.

35. Where part of an accounting period or of an accounting year is after, and part before, the beginning of the first day of January nineteen hundred and nineteen, the total excess profits and any deficiencies or losses arising in any such accounting period, and the total excess rent for any such accounting year, shall be apportioned between the time up to, and the time after, that date in proportion to the number of months or fractions of months before and after that date respectively.

Interpretation.

36. In this Part of this Act references to the principal Act, or to any provisions of that Act, shall be construed as references to that Act, or those provisions, as amended or extended by any subsequent enactment.

PART V.

GENERAL.

Suspension of new sinking fund.

37. In the financial year ending the thirty-first day of March nineteen hundred and twenty, that portion of the permanent annual charge for the national debt which is not required for the annual charge directed by the National Debt and Local Loans Act, 1887, or any other Act to be paid out of that charge, shall not be paid.

50 & 51 Vict. c. 16.

Construction, short title, and repeal.

39 & 40 Vict. c. 46.

38.—(1) Part I. of this Act, so far as it relates to duties of customs, shall be construed together with the Customs Consolidation Act, 1876, and any enactments amending that Act, and so far as it relates to duties of excise shall be construed together with the Acts which relate to the duties of excise and the management of those duties.

Part II. of this Act shall be construed together with the Income Tax Acts.

57 & 58 Vict. c. 30.

Part III. of this Act shall be construed together with the Finance Act, 1894.

Part IV. of this Act shall be construed together with Part III. of the Finance (No. 2) Act, 1915.

(2) This Act may be cited as the Finance Act, 1919.

(3) The Acts set out in the Fourth Schedule of this Act are hereby repealed to the extent mentioned in the third column of that schedule.

SCHEDULES.

Section 3.

FIRST SCHEDULE.

PART I.

ORDINARY CUSTOMS DUTIES ON SPIRITS.

	Up to September 1st, 1919.						On and after September 1st, 1919.					
	In Cask.			In Bottle.			In Cask.			In Bottle.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
For every gallon computed at proof of—												
Brandy or rum	2	10	4	2	11	4	2	12	10	2	13	10
Imitation rum or geneva	2	10	5	2	11	5	2	12	11	2	13	11
Unsweetened spirits other than those already enumerated	2	10	5	2	10	5	2	12	11	2	12	11
For every gallon of perfumed spirits	4	0	2	4	1	2	4	4	2	4	5	2
For every gallon of liqueurs, cordials, mixtures and other preparations in bottle entered in such manner as to indicate that the strength is not to be tested	—			3	8	10	—			3	12	2
For every gallon computed at proof of spirits of any description not heretofore mentioned, including naphtha and methylic alcohol purified so as to be potable, and mixtures and preparations containing spirit	2	10	5	2	11	5	2	12	11	2	13	11

PART II.

ADDITIONAL CUSTOMS DUTIES IN RESPECT OF IMMATURE SPIRITS.

	Where the Spirits have been warehoused for a period of Two Years and less than Three Years.		Where the Spirits have not been warehoused, or have been warehoused for a period of less than Two Years.	
	s.	d.	s.	d.
For every gallon computed at proof of spirits of any description except perfumed spirits	1	0	1	6
For every gallon of liqueurs, cordials, mixtures, and other preparations entered in such manner as to indicate that the strength is not to be tested	1	4	2	0
For every gallon of perfumed spirits	1	7	2	5

Part III.

Additional Excise Duties in respect of Immature Spirits.

—	Where the Spirits have been warehoused for a period of Two Years and less than Three Years.	Where the Spirits have not been warehoused, or have been warehoused for a period of less than Two Years.
	s. *d.*	*s.* *d.*
For every gallon of spirits computed at proof.	1 0	1 6

SECOND SCHEDULE.

Section 8.

Preferential Rates.

Goods.	Rate of Duty.
Tea Cocoa Coffee Chicory Currants Dried or preserved fruit (within the meaning of s. 8 of the Finance (No. 2) Act, 1915). Sugar Glucose Molasses Saccharin Motor spirit Tobacco	Five-sixths of the full rate.
Articles chargeable with the new import duties imposed by s. 12 of the Finance (No. 2) Act, 1915.	Two-thirds of the full rate.
Wine:	
Not exceeding 30° of proof spirit	Sixty per cent. of the full rate.
Exceeding 30° of proof spirit	Sixty-six and two-thirds per cent. of the full rate.
Sparkling wine in bottle (additional duty).	Seventy per cent. of the full rate
Still wine in bottle (additional duty)	Fifty per cent. of the full rate.
Spirits*	Rates equivalent to the full rates as chargeable under this Act up to September 1st, 1919.

The preferential rates shall be charged—

(*a*) in the case of tea, on and after the second day of June nineteen hundred and nineteen ;

(*b*) in the case of any other goods, on and after the first day of September nineteen hundred and nineteen.

Section 29.

THIRD SCHEDULE.

SCALE OF RATES OF ESTATE DUTY.

Where the Principal Value of the Estate						Estate Duty shall be payable at the Rate per Cent. of.
	£			£		
Exceeds	100	and does not exceed		500		1
,,	500	,,	,,	1,000		2
,,	1,000	,,	,,	5,000		3
,,	5,000	,,	,,	10,000		4
,,	10,000	,,	,,	15,000		5
,,	15,000	,,	,,	20,000		6
,,	20,000	,,	,,	25,000		7
,,	25,000	,,	,,	30,000		8
,,	30,000	,,	,,	40,000		9
,,	40,000	,,	,,	50,000		10
,,	50,000	,,	,,	60,000		11
,,	60,000	,,	,,	70,000		12
,,	70,000	,,	,,	90,000		13
,,	90,000	,,	,,	110,000		14
,,	110,000	,,	,,	130,000		15
,,	130,000	,,	,,	150,000		16
,,	150,000	,,	,,	175,000		17
,,	175,000	,,	,,	200,000		18
,,	200,000	,,	,,	225,000		19
,,	225,000	,,	,,	250,000		20
,,	250,000	,,	,,	300,000		21
,,	300,000	,,	,,	350,000		22
,,	350,000	,,	,,	400,000		23
,,	400,000	,,	,,	450,000		24
,,	450,000	,,	,,	500,000		25
,,	500,000	,,	,,	600,000		26
,,	600,000	,,	,,	800,000		27
,,	800,000	,,	,,	1,000,000		28
,,	1,000,000	,,	,,	1,250,000		30
,,	1,250,000	,,	,,	1,500,000		32
,,	1,500,000	,,	,,	2,000,000		35
,,	2,000,000					40

FOURTH SCHEDULE.

Section 38.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
43 & 44 Vict. c. 20.	The Inland Revenue Act, 1880.	Subsection (3) of section thirty-three, as from October 1st, 1919.
44 & 45 Vict. c. 12.	The Customs and Inland Revenue Act, 1881.	Subsection (2) of section fifteen, as from October 1st, 1919.
49 & 50 Vict. c. 18.	The Customs and Inland Revenue Act, 1886.	Section three, as from October 1st, 1919.
10 Edw. 7 c. 8.	The Finance (1909–10) Act, 1910.	Subsection (2) of section eighty-four in so far as it relates to an excise duty on motor spirit and to an excise duty upon a licence to be taken out annually by a manufacturer of motor spirit. Subsections (3) and (5) of section eighty-four; subsection (6) of section eighty-four so far as it relates to the manufacture of motor spirit. Paragraph 2 of the "provisions applicable to manufacturers' licences" in the First Schedule, as from October 1st, 1919.
5 & 6 Geo. 5. c. 89.	The Finance (No. 2) Act, 1915.	Subsection (2) of section ten: subsection (1) of section fifteen, to the words "twelve months thereafter."
6 & 7 Geo. 5. c. 24.	The Finance Act, 1916.	Sections fifteen and sixteen.
8 & 9 Geo. 5. c. 15.	The Finance Act, 1918.	Section two, in so far as it relates to motor spirit.

CHAPTER 33.

An Act for carrying into effect the Treaty of Peace between His Majesty and certain other Powers.

[31st July 1919.]

WHEREAS, at Versailles, on the twenty-eighth day of June, nineteen hundred and nineteen, a Treaty of Peace (including a protocol annexed thereto), a copy of which has been laid before each House of Parliament, was signed on behalf of

His Majesty, and it is expedient that His Majesty should have power to do all such things as may be proper and expedient for giving effect to the said Treaty:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power of His Majesty to give effect to Peace Treaty.

1.—(1) His Majesty may make such appointments, establish such offices, make such Orders in Council, and do such things as appear to him to be necessary for carrying out the said Treaty, and for giving effect to any of the provisions of the said Treaty.

(2) Any Order in Council made under this Act may provide for the imposition, by summary process or otherwise, of penalties in respect of breaches of the provisions thereof, and shall be laid before Parliament as soon as may be after it is made, and shall have effect as if enacted in this Act, but may be varied or revoked by a subsequent Order in Council and shall not be deemed to be a statutory rule within the meaning of section one of the Rules Publication Act, 1893:

56 & 57 Vict. c. 66.

Provided that, if an Address is presented to His Majesty by either House of Parliament within the next twenty-one days on which that House has sat after any Order in Council made under this Act has been laid before it praying that the Order or any part thereof may be annulled, His Majesty in Council may annul the Order or such part thereof, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

(3) Any expenses incurred in carrying out the said Treaty shall be defrayed out of moneys provided by Parliament.

Short title.

2. This Act may be cited as the Treaty of Peace Act, 1919.

. . . . . .

CHAPTER 34.

An Act for approving a Treaty between His Majesty and the President of the French Republic.

[31st July 1919.]

WHEREAS His Majesty the King and the President of the French Republic have, subject to the approval of their respective Parliaments, concluded the Treaty set out in the Schedule to this Act, and it is expedient to give such approval:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Approval of Treaty.

1. The approval of Parliament is hereby given to the Treaty set out in the Schedule to this Act.

2. This Act may be cited as the Anglo-French Treaty (Defence of France) Act, 1919. Short title.

SCHEDULE.

Section 1.

TEXT OF TREATY.

WHEREAS there is a danger that the stipulations relating to the left bank of the Rhine contained in the Treaty of Peace signed this day at Versailles may not at first provide adequate security and protection to the French Republic ; and

WHEREAS His Britannic Majesty is willing, subject to the consent of His Parliament, and provided that a similar obligation is entered into by the United States of America, to undertake to support the French Government in the case of an unprovoked movement of aggression being made against France by Germany ; and

WHEREAS His Britannic Majesty and the President of the French Republic have determined to conclude a Treaty to that effect, and have named as their Plenipotentiaries for the purpose, that is to say :—

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA :

The Right Honourable David Lloyd George, M.P., First Lord of His Treasury and Prime Minister ;

The Right Honourable Arthur James Balfour, O.M., M.P., His Secretary of State for Foreign Affairs ;

THE PRESIDENT OF THE FRENCH REPUBLIC :

Mr. Georges Clemenceau, President of the Council, Minister of War ;

Mr. Stephen Pichon, Minister of Foreign Affairs ;

WHO having communicated their full powers found in good and due form have AGREED AS FOLLOWS :

ARTICLE I.

In case the following stipulations relating to the left back of the Rhine contained in the Treaty of Peace with Germany, signed at Versailles the 28th day of June, 1919, by the British Empire, the French Republic and the United States of America among other Powers :

"*Article* 42.—Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometres to the east of the Rhine.

"*Article* 43.—In the area defined above the maintenance and assembly of armed forces, either permanently or temporarily, and military manœuvres of any kind, as well as the upkeep of all permanent works for mobilisation are in the same way forbidden.

"*Article* 44.—In case Germany violates in any manner whatever the provisions of Articles 42 and 43, she shall be regarded as committing a hostile act against the Powers signatory of the present Treaty and as calculated to disturb the peace of the world."

may not at first provide adequate security and protection to France, Great Britain agrees to come immediately to her assistance in the event of any unprovoked movement of aggression against her being made by Germany.

ARTICLE II.

The present Treaty, in similar terms with the Treaty of even date for the same purpose concluded between the French Republic and the United States of America, a copy of which Treaty is annexed hereto, will only come into force when the latter is ratified.

ARTICLE III.

The present Treaty must be submitted to the Council of the League of Nations and must be recognised by the Council, acting if need be by a majority, as an engagement which is consistent with the Covenant of the League; it will continue in force until, on the application of one of the Parties to it, the Council, acting if need be by a majority, agrees that the League itself affords sufficient protection.

ARTICLE IV.

The present Treaty shall before ratification by His Majesty be submitted to Parliament for approval.

It shall before ratification by the President of the French Republic be submitted to the French Chambers for approval.

ARTICLE V.

The present Treaty shall impose no obligation upon any of the Dominions of the British Empire unless and until it is approved by the Parliament of the Dominion concerned.

The present Treaty shall be ratified, and shall, subject to Articles II. and IV., come into force at the same time as the Treaty of Peace with Germany of even date comes into force for the British Empire and the French Republic.

IN FAITH WHEREOF the above-named Plenipotentiaries have signed the present Treaty, drawn up in the English and French languages.

Done in duplicate at Versailles on the twenty-eighth day of June 1919.

(Signed) D. LLOYD GEORGE.
(Signed) ARTHUR JAMES BALFOUR.
(Signed) CLEMENCEAU.
(Signed) S. PICHON.

ANNEX.

WHEREAS the United States of America and the French Republic are equally animated by the desire to maintain the Peace of the World so happily restored by the Treaty of Peace, signed at Versailles the 28th day of June 1919, putting an end to the war begun by the aggression of the German Empire and ended by the defeat of that Power; and

WHEREAS the United States of America and the French Republic are fully persuaded that an unprovoked movement of aggression by

Germany against France would not only violate both the letter and the spirit of the Treaty of Versailles, to which the United States of America and the French Republic are parties, thus exposing France anew to the intolerable burdens of an unprovoked war, but that such aggression on the part of Germany would be and is so regarded by the Treaty of Versailles as a hostile act against all the Powers signatory to that Treaty, and as calculated to disturb the peace of the world, by involving inevitably and directly the States of Europe and indirectly, as experience has amply and unfortunately demonstrated, the world at large; and

WHEREAS the United States of America and the French Republic fear that the stipulations relating to the left bank of the Rhine contained in said Treaty of Versailles may not at first provide adequate security and protection to France on the one hand and the United States of America as one of the signatories of the Treaty of Versailles on the other:

THEREFORE, the United States of America and the French Republic having decided to conclude a Treaty to effect these necessary purposes, Woodrow Wilson, President of the United States of America, and Robert Lansing, Secretary of State of the United States, specially authorised thereto by the President of the United States, and Georges Clemenceau, President of the Council, Minister of War, and Stephen Pichon, Minister of Foreign Affairs, specially authorised thereto by Raymond Poincaré, President of the French Republic, have agreed upon the following Articles:—

ARTICLE I.

In case the following stipulations relating to the left bank of the Rhine contained in the Treaty of Peace with Germany signed at Versailles the 28th day of June 1919, by the United States of America, the French Republic and the British Empire among other Powers:

> "*Article* 42.—Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometres to the east of the Rhine.
>
> "*Article* 43.—In the area defined above the maintenance and assembly of armed forces, either permanently or temporarily, and military manœuvres of any kind, as well as the upkeep of all permanent works for mobilisation, are in the same way forbidden.
>
> "*Article* 44.—In case Germany violates in any manner whatever the provisions of Articles 42 and 43, she shall be regarded as committing a hostile act against the Powers signatory of the present Treaty and as calculated to disturb the peace of the world."

may not at first provide adequate security and protection to France, the United States of America shall be bound to come immediately to her assistance in the event of any unprovoked movement of aggression against her being made by Germany.

ARTICLE II.

The present Treaty, in similar terms with the Treaty of even date for the same purpose concluded between Great Britain and the French Republic, a copy of which Treaty is annexed hereto, will only come into force when the latter is ratified.

ARTICLE III.

The present Treaty must be submitted to the Council of the League of Nations, and must be recognised by the Council, acting if need be by a majority, as an engagement which is consistent with the Covenant of the League. It will continue in force until, on the application of one of the Parties to it, the Council, acting if need be by a majority, agrees that the League itself affords sufficient protection.

ARTICLE IV.

The present Treaty will be submitted to the Senate of the United States at the same time as the Treaty of Versailles is submitted to the Senate for its advice and consent to ratification. It will be submitted before ratification to the French Chambers of Deputies for approval. The ratifications thereof will be exchanged on the deposit of ratifications of the Treaty of Versailles at Paris, or as soon thereafter as shall be possible.

In faith whereof the respective Plenipotentiaries, to wit: On the part of the United States of America, Woodrow Wilson, President, and Robert Lansing, Secretary of State, of the United States; and on the part of the French Republic, Georges Clemenceau, President of the Council of Ministers, Minister of War, and Stephen Pichon, Minister of Foreign Affairs, have signed the above articles both in English and French languages, and they have hereunto affixed their seals.

Done in duplicate at the City of Versailles, on the twenty-eighth day of June, in the year of our Lord one thousand nine hundred and nineteen, and the one hundred and forty-third of the Independence of the United States of America.

L.S. WOODROW WILSON.

L.S. ROBERT LANSING.

L.S. CLEMENCEAU.

L.S. S. PICHON.

CHAPTER 35.

An Act to amend the enactments relating to the Housing of the Working Classes, Town Planning, and the acquisition of small dwellings. [31st July 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

Housing of the Working Classes.

Schemes under Part III. of Act of 1890.

Duty of local authority to prepare housing schemes. 53 & 54 Vict. c. 70.

1.—(1) It shall be the duty of every local authority within the meaning of Part III. of the Housing of the Working Classes Act, 1890 (hereinafter referred to as the principal Act), to consider the needs of their area with respect to the provision of houses for the working classes, and within three months after the passing of this Act, and thereafter as often as occasion arises, or within three months after notice has been given to them by the Local Government Board, to prepare and submit to the Local Government Board a scheme for the exercise of their powers under the said Part III.

(2) A scheme under this section shall specify—

(*a*) the approximate number and the nature of the houses to be provided by the local authority;

(*b*) the approximate quantity of land to be acquired and the localities in which land is to be acquired;

(*c*) the average number of houses per acre;

(*d*) the time within which the scheme or any part thereof is to be carried into effect;

and the scheme may contain such incidental, consequential and supplemental provisions (including provisions as to the subsequent variation of the scheme) as may appear necessary or proper for the purpose of the scheme.

(3) The Local Government Board may approve any such scheme or any part thereof without modification or subject to such modifications as they may think fit, and the scheme or part thereof when so approved shall be binding on the local authority; but if the Board consider the scheme inadequate they may refuse to approve the scheme and require the authority to prepare and submit to them an adequate scheme within such time as they may fix, or they may approve the scheme or part thereof subject to the condition that the authority prepare and submit to them a further scheme within such time as they may fix:

Provided that local authorities in preparing, and the Local Government Board in approving, any scheme shall take into account, and so far as possible preserve, existing erections of architectural, historic, or artistic interest, and shall have regard to the natural amenities of the locality, and, in order to secure that the houses proposed to be built under the scheme shall be of a suitable architecture and that the natural amenities of the locality shall not be unnecessarily injured, the Local Government Board may, in any case where it appears to them that the character of the locality renders such a course expedient, require as a condition of their approval the employment by the local authority of an architect to be selected from a panel of architects nominated for the purpose by the Royal Institute of British Architects.

(4) Before the Local Government Board finally approve a scheme, the local authority shall furnish to them estimates of the cost of the scheme and of the rents expected to be derived from the houses provided under the scheme.

(5) If the Local Government Board consider as respects any local authority that an occasion for the preparation of a new scheme has arisen, they shall give notice to that effect to the local authority, and thereupon such an occasion shall be deemed to have arisen.

(6) Where the local authorities concerned or the Local Government Board are of opinion that a scheme should be made affecting the areas of two or more local authorities, such a scheme shall be prepared by the local authorities jointly and the local authority of each area to which any part of any such joint scheme applies may, or, if the Local Government Board after giving the local authority an opportunity of being heard so direct, shall carry out that part of the joint scheme, and for the purposes of this subsection "local authority" shall, in any case where the Local Government Board consent, and subject to any conditions which the Board may prescribe, include a county council.

(7) Local authorities in preparing, and the Local Government Board in approving, schemes shall make inquiry respecting and take into account any proposals by other bodies and persons to provide housing accommodation.

(8) Where any proposals as to the provision of houses for the working classes have before the passing of this Act been submitted to the Local Government Board by a local authority and those proposals have been approved by the Board, either before or after the passing of this Act, the proposals may, if the Board so direct, be treated, for any of the purposes of this Act, as if they were a scheme submitted and approved under this section.

Duty of local authority to carry out scheme.

2. It shall be the duty of a local authority on which obligations are imposed by any such scheme to carry that scheme

into effect within such time as may be specified in the scheme or within such further time as may be allowed by the Local Government Board.

Power of County Councils and Local Government Board to act in place of Local Authorities.

Power to authorise county council to act in place of local authority.

3.—(1) Where the Local Government Board are satisfied that a local authority have failed or are not prepared to fulfil their obligations as to the preparation of schemes under this Act, or their obligations under any such scheme, or that for any other reason it is desirable that any such obligation should be performed by the county council instead of by the local authority, the Board, after considering the circumstances of the case and giving the local authority and the county council an opportunity of being heard, may, if they think fit, by order, transfer to the council of the county, in which the district of the local authority is comprised, the obligation to prepare and carry out a scheme, or to carry out in whole or in part the provisions of a scheme prepared by the local authority.

(2) Where the Board make an order under this section, the order may, for the purpose of enabling the county council to give effect to the order, apply any of the provisions of the Housing Acts or section sixty-three of the Local Government Act, 1894, with such modifications and adaptations as appear necessary or expedient:

55 & 57 Vict. c. 73.

Provided that the local authority shall be entitled to appeal to the Local Government Board if, in their opinion, the amount of the expenses, which the county council require them to defray or propose to charge against their district, is excessive or unreasonable, or against any refusal by a county council to make an order under the said section sixty-three vesting in the local authority all or any of the powers, duties, property, debts, and liabilities of the county council in relation to the powers transferred to them, and upon any such appeal the Board may make such order as they may deem just, and an order so made shall be binding on the county council and the local authority.

(3) This section shall apply in cases where a joint scheme has been, or in the opinion of the Board ought to be, prepared with the substitution of references to the local authorities concerned and their districts for references to the local authority and the district of the local authority.

Power of Local Government Board to act in place of the local authority.

4.—(1) Where the Local Government Board are satisfied that a local authority, or, in cases where any powers or duties of a local authority have been transferred to a county council, such council, or, in cases where a joint scheme has been or in the opinion of the Board should be prepared, the local authorities concerned, have failed to fulfil their obligations as to the

preparation of schemes under this Act or their obligations under any such schemes, the Board may, after considering the circumstances of the case, and after giving the local authority, authorities, or county council an opportunity of being heard, themselves prepare and carry out a scheme or take such steps as may be necessary to carry out any scheme prepared by the local authority or council, or by two or more local authorities jointly, and shall for that purpose have all the powers of a local authority under the Housing Acts, and those Acts shall, with the necessary modifications and adaptations, apply accordingly.

(2) Any expenses incurred by the Board in the exercise of such powers as aforesaid shall in the first instance be paid out of moneys provided by Parliament, but the amount certified by the Board to have been so expended, and to be properly payable by a local authority, shall on demand be paid to the Board by the local authority and shall be recoverable as a debt due to the Crown, and the payment of the sum so payable to the Board shall be a purpose for which the local authority may borrow under Part III. of the principal Act.

Power to act in default of local authority under Parts I. and II. of principal Act.

5. Without prejudice to any other powers for enforcing the provisions of the Housing Acts, where the Local Government Board are satisfied that any area within the district of a local authority is an area in respect of which the local authority ought to exercise their powers under Part I. or Part II. of the principal Act, the Board may by order require the local authority to make a scheme for the improvement of such area either under Part I. or under Part II. of that Act and to do all things necessary under the Housing Acts for carrying into execution the scheme so made, and, if the local authority fail within such time as may be prescribed by the order to make a scheme to the satisfaction of the Local Government Board and to carry the scheme into execution, the Board may either by order empower the county council to make and carry out a scheme, or themselves make and take such steps as may be necessary to carry out a scheme, and the provisions of the last two foregoing sections of this Act in regard to the powers of county councils and the Board, as the case may be, shall apply.

Inspection by county medical officer of health.

6. Where a representation is made to the Local Government Board as respects any county district that the local authority have failed to exercise their powers under Part I. or Part II. of the principal Act, the Board may direct the county council to instruct the medical officer of health of the county to inspect such district and to make a report to the Board as to the exercise of the powers aforesaid by the local authority.

Financial Provisions.

Power to recoup losses.

7.—(1) If it appears to the Local Government Board that the carrying out by a local authority, or by a county council to

whom the powers of a local authority have been transferred under this Act, of any scheme approved under section one of this Act, or the carrying out of a re-housing scheme in connection with a scheme made under Part I. or Part II. of the principal Act, including the acquisition, clearance, and development of land included in the last-mentioned scheme, and whether the re-housing will be effected on the area included in that scheme or elsewhere, or the carrying out of any scheme approved by the Board for the provision of houses for persons in the employment of or paid by a county council or a statutory committee thereof, has resulted or is likely to result in a loss, the Board shall, if the scheme is carried out within such period after the passing of this Act as may be specified by the Board with the consent of the Treasury, pay or undertake to pay to the local authority or county council out of moneys provided by Parliament such part of the loss as may be determined to be so payable under regulations made by the Board with the approval of the Treasury, subject to such conditions as may be prescribed by those regulations.

(2) Such regulations shall provide that the amount of any annual payment to be made under this section shall—

(*a*) in the case of a scheme carried out by a local authority, be determined on the basis of the estimated annual loss resulting from the carrying out of any scheme or schemes to which this section applies, subject to the deduction therefrom of a sum not exceeding the estimated annual produce of a rate of one penny in the pound levied in the area chargeable with the expenses of such scheme or schemes; and

(*b*) in the case of a scheme for the provision of houses for persons in the employment of or paid by a county council, or a statutory committee thereof, be an amount equivalent to thirty per centum of the annual loan charges as calculated in accordance with the regulations on the total capital expenditure incurred by the county council for the purposes of the scheme:

Provided that the regulations shall include provisions—

(i) for the reduction of the amount of the annual payment in the event of a failure on the part of the local authority or county council to secure due economy in the carrying out and administration of a scheme to charge sufficient rents or otherwise to comply with the conditions prescribed by the regulations;

(ii) for the determination of the manner in which the produce of a rate of one penny in the pound shall be estimated; and

(iii) for any adjustment which may be necessary in consequence of any difference between the estimated annual produce and the actual produce of the said rate of one penny in the pound;

(3) Every regulation so made shall be laid before both Houses of Parliament as soon as may be after it is made, and, if an address is presented by either House within twenty-one days on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, but without prejudice to the validity of anything previously done thereunder.

(4) Where a loan is made by the Public Works Loan Commissioners for the purposes of a scheme towards the losses on which the Local Government Board are liable to contribute under this section the loan shall, notwithstanding anything in section three of the Housing, Town Planning, &c. Act, 1909, be made on such terms and conditions as the Treasury may prescribe.

9 Edw. 7. c. 44.

This subsection shall be deemed to have had effect as from the first day of April, nineteen hundred and nineteen, as respects any proposals made by a local authority and approved by the Local Government Board before the passing of this Act as respects which the Board may have signified their intention to direct that they shall be treated as a scheme for the purposes of this section.

(5) The provisions of this section relating to the carrying out of a scheme for the provision of houses for persons in the employment of or paid by county councils shall apply to the Lancashire Asylums Board, the West Riding of Yorkshire Asylums Board or other body constituted for the purpose of the administration of the Lunacy Acts, on behalf of any combination of county councils and county borough councils.

Powers of county councils in connection with the housing of their employees.

8.—(1) Where money is borrowed by a county council for the purpose of the provision of houses for persons in the employment of or paid by the council or a statutory committee thereof, or of acquiring land for such houses, the maximum period for repayment shall be eighty years, and as respects money so borrowed eighty years shall be substituted for thirty years in subsection (5) of section sixty-nine of the Local Government Act, 1888.

51 & 52 Vict. c. 41.

(2) Where a loan is made by the Public Works Loan Commissioners to a county council for any such purposes as aforesaid, it shall be made on the same terms and conditions as a loan to a local authority for the purposes of the Housing Acts.

(3) A county council shall have power and shall be deemed always to have had power to provide houses for persons in the employment of or paid by the council or a statutory committee thereof, and for that purpose a county council may be authorised to acquire land in like manner as a local authority may be authorised to acquire land for the purposes of Part III. of the principal Act.

This section shall apply to any such board or body as is mentioned in subsection (5) of section seven of this Act in like manner as it applies to a county council, with the substitution of a reference to the provisions fixing the period within which such board or body is required to repay loans for the reference to subsection (5) of section sixty-nine of the Local Government Act, 1888.

Provisions as to the Acquisition and Disposal of Land, &c.

Provisions as to assessment of compensation.

9.—(1) Where land included in any scheme made or to be made under Part I. or Part II. of the principal Act (other than land included in such a scheme only for the purpose of making the scheme efficient and not on account of the sanitary condition of the premises thereon or of those premises being dangerous or prejudicial to health) is acquired compulsorily, the compensation to be paid for the land, including any buildings thereon, shall be the value at the time the valuation is made of the land as a site cleared of buildings and available for development in accordance with the requirements of the building byelaws for the time being in force in the district:

Provided that, if in the opinion of the Local Government Board it is necessary that provision should be made by the scheme for the re-housing of persons of the working classes on the land or part thereof when cleared, or that the land or a part thereof when cleared should be laid out as an open space, the compensation payable to all persons interested in any land included in the scheme (other than as aforesaid) for their respective interests therein shall be reduced by an amount ascertained in accordance with the rules set forth in the First Schedule to this Act.

(2) The provisions of sections twenty-one and forty-one of the principal Act shall cease to apply as respects lands to which the provisions of this section apply, in so far as such first-mentioned provisions are inconsistent or in conflict with the provisions of this section.

Power of entry on land acquired.

10.—(1) Where an order authorising a local authority to purchase land compulsorily for the purposes of Part III. of the principal Act has been made and confirmed under the provisions of Part I. of the Housing, Town Planning, &c. Act, 1909, then, at any time after notice to treat has been served, the local authority may, after giving not less than fourteen days' notice to the owner and occupier of the land, enter on and take possession of the land or such part thereof as is specified in the notice without previous consent or compliance with sections eighty-four to ninety of the Lands Clauses (Consolidation) Act, 1845, but subject to the payment of the like compensation for the land of which possession is taken and interest on the

8 & 9 Vict. c. 18

compensation awarded as would have been payable if those provisions had been complied with.

(2) Where a local authority have agreed to purchase land for the purposes of Part III. of the principal Act, or have determined to appropriate land for those purposes, subject to the interest of the person in possession thereof, and that interest is not greater than that of a tenant for a year or from year to year, then, at any time after such agreement has been made, or such appropriation has been approved by the Local Government Board, the local authority may, after giving not less than fourteen days' notice to the person so in possession, enter on and take possession of the land or such part thereof as is specified in the notice without previous consent but subject to the payment to the person so in possession of the like compensation with such interest thereon as aforesaid as if the local authority had been authorised to purchase the land compulsorily and such person had in pursuance of such power been required to quit possession before the expiration of his term or interest in the land, but without the necessity of compliance with sections eighty-four to ninety of the Lands Clauses (Consolidation) Act, 1845.

Amendment of procedure for compulsory acquisition of land.

11.—(1) Paragraph (7) of the First Schedule to the Housing, Town Planning, &c. Act, 1909 (which provides for special procedure in the case of the acquisition of land, for the purposes of Part III. of the principal Act, situate in London or in a borough or urban district), shall cease to have effect.

(2) Where the confirming of an order made under that schedule is opposed, the Local Government Board shall, before confirming the order, duly consider the report of the person by whom, under paragraph (6) of the said schedule, a public inquiry is held, and the Local Government Board shall not confirm any order for the compulsory acquisition of land under that schedule, even when the order is unopposed, if they are of opinion that the land is unsuited for the purpose for which it is proposed to be acquired.

(3) Notwithstanding the provisions of paragraph (6) of the First Schedule to the Housing, Town Planning, &c. Act, 1909, any order for the compulsory acquisition of land which is duly submitted after the date of the passing of this Act, and before the expiration of two years from that date, by a local authority under the provisions of Part I. of the Housing, Town Planning, &c. Act, 1909, may be confirmed by the Local Government Board without a public inquiry.

(4) The amendments to the said schedule effected by this Act shall apply to that schedule as originally enacted but not as applied by any other enactment.

Additional powers as to acquisition of land and houses.

12.—(1) The powers of a local authority to acquire land for the purposes of Part III. of the principal Act shall be deemed to include power—

(*a*) to acquire any houses or other buildings on the land proposed to be acquired as a site for the erection of houses for the working classes; and

(*b*) to acquire any estate or interest in any houses which might be made suitable as houses for the working classes, together with any lands occupied with such houses;

and the local authority shall have power to alter, enlarge, repair and improve any such houses or buildings so as to render them in all respects fit for habitation as houses for the working classes.

(2) The purposes for which land may be acquired under Part III. of the principal Act shall be deemed to include—

(*a*) the lease or sale of the land, under the powers conferred by this Act, with a view to the erection thereon of houses for the working classes by persons other than the local authority; and

(*b*) the lease or sale under the powers conferred by this Act of any part of the land acquired with a view to the use thereof for purposes which in the opinion of the local authority are necessary or desirable for or incidental to the development of the land as a building estate, including the provision, maintenance, and improvement of houses and gardens, factories, workshops, places of worship, places of recreation, and other works or buildings for or for the convenience of persons belonging to the working classes and other persons.

(3) Subject to the consent of the Local Government Board and to such conditions as the Board may prescribe, a local authority may, for the purposes of Part III. of the principal Act, contract for the purchase by or lease to them of houses suitable for the working classes, whether built at the date of the contract or intended to be built thereafter.

Power to acquire in advance lands in areas proposed for inclusion in improvement schemes under Parts I. and II. of principal Act.

13. Where a local authority have under section four of the principal Act passed a resolution that an area is an unhealthy area and that an improvement scheme ought to be made in respect of such area, or have under section thirty-nine of the principal Act passed a resolution directing a scheme to be prepared for the improvement of an area, the local authority may, with the consent of and subject to any conditions imposed by the Local Government Board, acquire by agreement any lands included within the area notwithstanding that the scheme may not at the time of acquisition have been made by the local

authority or confirmed or sanctioned by the Local Government Board; and the acquisition of such lands shall be deemed to be a purpose for which the local authority may borrow money under and subject to the provisions of Part I. or, as the case may be, Part II. of the principal Act.

Power to acquire water rights. 38 & 39 Vict. c. 55.

14. A local authority or a county council may, notwithstanding anything in section three hundred and twenty-seven or section three hundred and thirty-two of the Public Health Act, 1875, but subject to the provisions of section fifty-two of that Act, be authorised to abstract water from any river, stream, or lake, or the feeders thereof, whether within or without the district of the local authority or the county, for the purpose of affording a water supply for houses provided or to be provided under a scheme made under the Housing Acts, and to do all such acts as may be necessary for affording a water supply to such houses, subject to a prior obligation of affording a sufficient supply of water to any houses or agricultural holdings or other premises that may be deprived thereof by reason of such abstraction, in like manner and subject to the like restrictions as they may be authorised to acquire land for the purposes of the scheme:

Provided that no local authority or county council shall be authorised under this section to abstract any water which any local authority, corporation, company, or person are empowered by Act of Parliament to impound, take or use for the purpose of supply within any area, or any water the abstraction of which would, in the opinion of the Local Government Board, injuriously affect the working or management of any canal or inland navigation.

Powers of dealing with land acquired.

15.—(1) Where a local authority have acquired or appropriated any land for the purposes of Part III. of the principal Act, then, without prejudice to any of their other powers under that Act, the authority may—

(*a*) lay out and construct public streets or roads and open spaces on the land;

(*b*) with the consent of the Local Government Board sell or lease the land or part thereof to any person for the purpose and under the condition that that person will erect and maintain thereon such number of houses suitable for the working classes as may be fixed by the local authority in accordance with plans approved by them, and when necessary will lay out and construct public streets or roads and open spaces on the land, or will use the land for purposes which, in the opinion of the local authority, are necessary or desirable for or incidental to the development of the land as a building estate in accordance with plans

approved by the local authority, including the provision, maintenance, and improvement of houses and gardens, factories, workshops, places of worship, places of recreation and other works or buildings for, or for the convenience of, persons belonging to the working classes and other persons;

(*c*) with the consent of the Local Government Board sell the land or exchange it for land better adapted for those purposes, either with or without paying or receiving any money for equality of exchange;

(*d*) with the consent of the Local Government Board sell or lease any houses on the land or erected by them on the land, subject to such covenants and conditions as they may think fit to impose either in regard to the maintenance of the houses as houses for the working classes or otherwise in regard to the use of the houses, and upon any such sale they may, if they think fit, agree to the price being paid by instalments or to payment of part thereof being secured by a mortgage of the premises:

Provided that it shall be a condition of such sale or lease that the houses shall not be used by any person for the time being having any interest therein for the purpose of housing persons in his employment.

(2) Where a local authority under this section sell or lease land subject to any condition as to the erection thereon of houses, or the laying out and construction of streets or the development of the land, there shall be included in the conveyance or lease all such covenants and conditions as may be necessary to secure compliance with the condition aforesaid within a reasonable period, and to limit the amount of the rent which may be charged in respect of the land or any part thereof or in respect of the houses erected thereon; and the local authority may contribute or agree to contribute towards the expenses of the development of the land and the laying out and construction of streets thereon, subject to the condition that the streets are dedicated to the public.

(3) Land and houses sold or leased under the provisions of this section shall be sold or leased at the best price or for the best rent that can reasonably be obtained, having regard to any condition imposed, and any capital money received in respect of any transaction under this section shall be applied in or towards the purchase of other land for the purposes of Part III. of the principal Act, or with the consent of the Local Government Board to any purpose, including the repayment of borrowed money, to which capital money may be properly applied.

Power of Local Government

16. For the purpose of assisting in the preparation and carrying out of schemes under this Act, or for the purpose of

Board to assist in preparation of schemes.

securing the immediate provision of dwelling accommodation in the area of any local authority pending the preparation of a scheme by such authority, the Local Government Board may, with the consent of the Treasury, acquire and hold lands and buildings, erect buildings, alter, enlarge, repair, and improve buildings, and dispose of any lands or buildings so acquired or erected, and for such purposes the Board may exercise any of the powers of a local authority under the Housing Acts in regard to the acquisition and disposal of land and buildings.

Occupation of house at a rental from local authority not to disqualify for election to local authority.

17. For removing doubts it is hereby enacted that a person shall not, by reason only of the fact that he occupies a house at a rental from a local authority within the meaning of Part III. of the principal Act, be disqualified from being elected or being a member thereof or any committee thereof.

Provisions for the assistance of public utility societies, housing trusts, and other persons.

Powers of promoting and assisting public utility societies.

18.—(1) A local authority within the meaning of Part III. of the principal Act, or a county council, may promote the formation or extension of or, subject to the provisions of this section, assist a public utility society whose objects include the erection, improvement or management of houses for the working classes, and where such a society is desirous of erecting houses for the working classes which, in the opinion of the Local Government Board, are required, and the local authority of the area in which the houses are proposed to be built are unwilling to acquire land with a view to selling or leasing the same to the society, the county council, on the application of the society, may for this purpose acquire land and exercise all the powers of a local authority under the Housing Acts in regard to the acquisition and disposal of land, and the provisions of those Acts as to the acquisition of land by local authorities within the meaning of Part III. of the principal Act shall apply accordingly.

(2) Any such local authority or county council with the consent of, and subject to any regulations or conditions which may be made or imposed by, the Local Government Board may, for the assistance of such a society—

(*a*) make grants or loans to the society;

(*b*) subscribe for any share or loan capital of the society;

(*c*) guarantee or join in guaranteeing the payment of interest on money borrowed by the society or of any share or loan capital issued by the society;

on such terms and conditions as to rate of interest and repayment or otherwise and on such security as the local authority or council think fit, and, notwithstanding the provisions of section four of the Industrial and Provident Societies Act, 1893, where a local authority or county council assist such a society under this subsection, the local authority or council shall not be prevented

56 & 57 Vict. c. 39.

from having or claiming an interest in the shares of the society exceeding two hundred pounds.

(3) Any expenses incurred by a local authority (other than the London County Council) under the provisions of this section shall be defrayed in the same manner as the expenses of the local authority under Part III. of the principal Act, and the raising of money for the purpose of making grants or loans to or subscribing for the capital of a society under this section shall be a purpose for which the authority may borrow under that Part of that Act.

(4) Any expenses incurred by a county council under this section shall be defrayed as expenses for general county purposes, and the raising of money for the purpose of making grants or loans to or subscribing for the capital of a society under this section shall be a purpose for which the council may borrow; provided that, where money is borrowed by the county council for that purpose, the maximum period for repayment shall be fifty years, and as respects money so borrowed fifty years shall be substituted for thirty years in subsection (5) of section sixty-nine of the Local Government Act, 1888.

Power of contributing to costs incurred by public utility societies and housing trusts.

19.—(1) Where a public utility society or a housing trust as defined by this Act has submitted to the Local Government Board a scheme for the provision of houses for the working classes and the scheme is approved by the Board, then, if the scheme is carried out within such period after the passing of this Act as may be specified by the Board with the consent of the Treasury, the Board may pay or undertake to pay out of moneys provided by Parliament such contributions towards the cost of carrying out the scheme as may be determined to be payable under regulations made by the Board with the approval of the Treasury, subject to such conditions (including conditions as to audit of accounts by district auditors) as may be prescribed by those regulations.

(2) Such regulations shall provide that the amount of any annual payment to be made under this section shall be equivalent to thirty per centum of the annual loan charges which would have been payable in accordance with the regulations on the total capital expenditure incurred by the public utility society or housing trust for the purposes of the scheme if the amount of that expenditure had been borrowed from the Public Works Loan Commissioners:

Provided that the regulations shall include provision for the reduction of the amount of the annual payment in the event of the Local Government Board being satisfied that the capital expenditure incurred by the public utility society or housing trust has been excessive.

(3) Every regulation so made shall be laid before both Houses of Parliament as soon as may be after it is made, and, if an address is presented by either House within twenty-one days

on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, but without prejudice to the validity of anything previously done thereunder.

Loans to public utility societies.

20.—(1) The purposes referred to in subsection (1) of section sixty-seven of the principal Act for which the Public Works Loan Commissioners may advance money on loan shall extend to the purchase of houses which may be made suitable as houses for the working classes and to the purchase and development of land by a public utility society.

38 & 39 Vict. c. 89.

(2) Notwithstanding anything contained in the Public Works Loans Act, 1875, or any Act amending that Act, where a loan is made by the Public Works Loan Commissioners under section sixty-seven of the principal Act to a public utility society for the purpose of carrying out a scheme for the provision of houses for the working classes approved by the Local Government Board :—

(*a*) the maximum period for the repayment of the loan shall be fifty instead of forty years ;

(*b*) Money may be lent on the mortgage of an estate for a term of years absolute whereof a period not less than ten years in excess of the period fixed for the repayment of the sums advanced remains unexpired at the date of the loan ;

(*c*) In the case of loans made during such period after the passing of this Act as may be specified by the Board with the consent of the Treasury, the money advanced on the security of a mortgage of any land or dwellings solely shall not exceed seventy-five per cent. of the purchase price of the land and of the cost of its development and of the houses proposed to be mortgaged as certified by the Local Government Board ; but advances may be made by instalments in respect of the purchase money of the land to be acquired, and of the cost of its development, and in respect of the building of any house or houses on the land mortgaged as such building progresses, so that the total of the advances do not at any time exceed the amount aforesaid ; and a mortgage may accordingly be made to secure advances so to be made from time to time.

Loans to private persons.

21. During a period of two years from the passing of this Act, the money which may be advanced by the Public Works Loan Commissioners to any private person for the purpose of constructing houses for the working classes on the security of a mortgage of any land or dwellings solely may, if the Commissioners think fit and if the houses are constructed in accordance with plans approved by the Local Government Board, exceed the amount specified in subsection (2) of section sixty-seven of the

principal Act, but shall not exceed seventy-five per centum of the value of the estate or interest in such land or dwellings proposed to be mortgaged, and advances may be made by instalments from time to time as the building of the houses on the land mortgaged progresses, so that the total of the advances does not at any time exceed the amount last mentioned, and a mortgage may accordingly be made to secure advances so to be made from time to time.

Loans by local authorities for the improvement of housing accommodation.

22.—(1) Where the owner of a house or building applies to the local authority, within the meaning of Part III. of the principal Act, of the district in which the house is situated for assistance for the purpose of carrying out works for the reconstruction, enlargement, or improvement thereof, and the local authority are of opinion that after the works are carried out the house or building would be in all respects fit for habitation as a house or as houses for the working classes, and that the circumstances of the district in regard to housing accommodation are such as to make it desirable that the works should be carried out, the local authority may lend to the owner the whole or any part of such sum as may be necessary to defray the cost of the works, and any costs, charges, or expenses incidental thereto:

Provided that the loan shall not exceed one half of the estimated value of the property mortgaged, unless some additional or collateral security is given sufficient to secure the excess.

(2) Before the works are commenced, full particulars of the works and, where required by the local authority, plans and specifications thereof shall be submitted to the local authority for their approval, and before any loan is made the authority shall satisfy themselves that the works in respect of which the loan is to be made have been carried out in a satisfactory and efficient manner.

(3) The raising of money for the purpose of making a loan under this section shall be a purpose for which the local authority may borrow for the purposes of Part III. of the principal Act.

(4) For the purpose of this section "owner" means any person whose interest, or any number of persons whose combined interests, constitute either an estate of fee simple in possession or, in the case of copyhold land, a similar estate, or a leasehold interest in possession for a term of years absolute whereof a period of not less than ten years in excess of the period fixed for the repayment of the loan remains unexpired at the date of the loan.

Provisions as to sale of building materials.

23. Subject to any conditions prescribed by the Local Government Board with the consent of the Treasury, any bricks or other building materials which have been acquired by a Government Department for the purpose of the erection or

improvement of houses for the working classes, may during a period of five years from the passing of this Act be sold to any person who undertakes to use the same forthwith for the purpose of erecting or improving houses for the working classes and to comply with the said conditions at a price sufficient to cover the cost of replacement at the time of sale of the materials so sold.

Relaxation of Byelaws.

Relaxation of byelaws.

24.—(1) Where in pursuance of a housing scheme to which this section applies new buildings are constructed, or public streets and roads are laid out and constructed, in accordance with plans and specifications approved by the Local Government Board, the provisions of any building byelaws shall not apply to the new buildings and new streets constructed and laid out in pursuance of the scheme so far as those provisions are inconsistent with the plans and specifications approved by the Local Government Board, and, notwithstanding the provisions of any other Act, any street laid out and constructed in accordance with such plans and specifications may be taken over and thereafter maintained by the local authority:

Provided that, as regards the administrative county of London, the Board shall not approve any plans and specifications inconsistent with the provisions of any building byelaws in force in the county except after consultation with the London County Council on the general question of the relaxation of such provisions in connection with housing schemes.

(2) Where the Local Government Board have approved plans and specifications which in certain respects are inconsistent with the provisions of any building byelaws in force in the district in which the works are to be executed, any proposals for the erection therein of houses and the laying out and construction of new streets which do not form part of a housing scheme to which this section applies may, notwithstanding those provisions, be carried out if the local authority or, on appeal, the Local Government Board are satisfied that they will involve departures from such provisions only to the like extent as in the case of the plans and specifications so approved, and that, where such plans and specifications have been approved subject to any conditions, the like conditions will be complied with in the case of proposals to which this subsection applies:

Provided that, in the application of this subsection to the administrative county of London, the expression "local authority" means the London County Council with respect to the matters within their jurisdiction and the Common Council of the City of London or the council of a metropolitan borough (as the case may be) with respect to other matters.

(3) The housing schemes to which this section applies are schemes made by a local authority or county council under the

Housing Acts, or by a public utility society or housing trust, and approved by the Local Government Board.

(4) Subject to any conditions which may be prescribed by the Local Government Board, the provisions of any building byelaws shall not apply to any new buildings and new streets constructed and laid out by a county council or local authority in accordance with plans and specifications approved by the Board of Agriculture and Fisheries under the Small Holdings and Allotments Acts, 1908 and 1910, or any Act amending the same. 8 Edw. 7. c. 36 10 Edw. 7. & 1 Geo. 5. c. 34.

Consent of local authority to erection and use of buildings.

25.—(1) Notwithstanding the provisions of any building byelaws, a local authority may, during a period of three years from the passing of this Act, consent to the erection and use for human habitation of any buildings erected or proposed to be erected in accordance with any regulations made by the Local Government Board.

(2) The local authority may attach to their consent any conditions which they may deem proper with regard to the situation, sanitary arrangements, and protection against fire of such buildings, and may fix and from time to time extend the period during which such buildings shall be allowed to be used for human habitation.

(3) If any person feels aggrieved by the neglect or refusal of the local authority to give such consent or by the conditions on which such consent is given, or as to the period allowed for the use of such buildings for human habitation, he may appeal to the Local Government Board, whose decision shall be final, and shall have effect as if it were the decision of the local authority, provided that the Board may, before considering any such appeal, require the appellant to deposit such sum, not exceeding ten pounds, to cover the costs of appeal as may be fixed by rules to be made by them.

(4) Section twenty-seven of the Public Health Acts Amendment Act, 1907, shall not apply to any buildings to which this section applies. 7 Edw. 7. c. 53.

(5) In the application of this section to the administrative county of London, the expression "local authority" means the London County Council with respect to matters within their jurisdiction, and the common council of the City of London or the council of a Metropolitan borough (as the case may be) with respect to other matters.

Miscellaneous.

Byelaws respecting houses divided into separate tenements. 54 & 55 Vict. c. 76.

26.—(1) The power of making and enforcing byelaws under section ninety of the Public Health Act, 1875, and section ninety-four of the Public Health (London) Act, 1891, shall in the case of houses intended or used for occupation by the

working classes be deemed to include the making and enforcing of byelaws—

(*a*) for fixing and from time to time varying the number of persons who may occupy a house or part of a house which is let in lodgings or occupied by members of more than one family, and for separation of the sexes therein;

(*b*) for the registration and inspection of such houses;

(*c*) for enforcing drainage and promoting cleanliness and ventilation of such houses;

(*d*) for requiring provision adequate for the use of and readily accessible to each family of—

(i) closet accommodation;

(ii) water supply and washing accommodation;

(iii) accommodation for the storage, preparation, and cooking of food;

and, where necessary, for securing separate accommodation as aforesaid for every part of such house which is occupied as a separate dwelling;

(*e*) for the keeping in repair and adequate lighting of any common staircase in such houses;

(*f*) for securing stability, and the prevention of and safety from fire;

(*g*) for the cleansing and redecoration of the premises at stated times, and for the paving of the courts and courtyards;

(*h*) for the provision of handrails, where necessary, for all staircases of such houses;

(*i*) for securing the adequate lighting of every room in such houses;

and any such byelaws, in addition to any other penalty, may prohibit the letting for occupation by members of more than one family of any such house unless the same are complied with, subject in the case of houses so let or occupied at the time when such byelaws come into force to the allowance of a reasonable time for the execution of any works necessary to comply therewith.

(2) Such byelaws may impose the duty of executing any work required to comply therewith upon the owner within the meaning of the Public Health Acts of any such house, or upon any other person having an interest in the premises, and may prescribe the circumstances and conditions in and subject to which any such duty is to be discharged.

(3) For the purpose of discharging any duty so imposed, the owner or other person may at all reasonable times enter upon any part of the premises, and section fifty-one of the principal Act shall apply as if for the reference to the provisions of Part II. of that Act there were substituted a reference to the provisions of such byelaws, and as if the person on whom such

duty is imposed were the owner and any inmate of the premises were the occupier of a dwelling-house.

(4) Where an owner or other person has failed to execute any work which he has been required to execute under the byelaws, the local authority by whom such byelaws are enforced may, after giving to him not less than twenty-one days' notice in writing, themselves execute the works and recover the costs and expenses, and for that purpose the provisions of subsection (5) of section fifteen of the Housing, Town Planning, &c. Act, 1909, with respect to the execution of works and the recovery of expenses by local authorities, shall apply as if the owner or other person were the landlord, and with such other adaptations as may be necessary.

(5) If in the opinion of the Local Government Board premises are being occupied by members of more than one family or are intended to be converted for such occupation in the district of any local authority, and either no byelaws have been made by the local authority for the purposes specified in subsection (1) of this section, or the byelaws made are not sufficient properly to regulate such occupation or conversion, the Local Government Board may themselves make byelaws for such purposes which shall have effect and shall be enforced as if they had been made by the local authority.

(6) Where the person on whom obligations are imposed by any byelaws made for the purposes specified in subsection (1) of this section with respect to houses so occupied as aforesaid holds the premises under a lease or agreement and satisfies the local authority that compliance with such byelaws is contrary to the provisions of the lease or agreement, or that the whole or any part of the expenses of carrying out the obligations ought to be borne by his lessor or other superior landlord, the local authority may make application to the county court, and the county court may, after giving the lessor or any such superior landlord an opportunity of being heard,—

(*a*) In the first case, order that the provisions of the lease or agreement be relaxed so far as they are inconsistent with the requirements of the byelaws;

(*b*) in the second case, grant to the person who carries out the works necessary for compliance with the byelaws, on proof to the satisfaction of the local authority that the works have been properly carried out, a charging order charging on the premises an annuity to repay the expenses properly incurred in carrying out the works or such part of those expenses as the county court consider ought to be so charged.

(7) The annuity shall be of such amount and extend over such number of years as the county court may determine.

(8) Subsection (3) of section thirty-six and section thirty-seven except subsection (4) of the principal Act, and section nineteen of the Housing, Town Planning, &c. Act, 1909, shall

apply to charging orders and annuities under this section in like manner as to charging orders and annuities under the said section thirty-six.

(9) Where a local authority have themselves acquired a leasehold interest in any house under the powers conferred upon them by this Act, the Local Government Board, on the application of the local authority, may make a similar order with regard to the relaxation of the provisions of the lease and to charging an annuity on the premises as might, had the lessee not been the local authority, have been made on the application of the local authority by the county court, and in that case the decision of the Local Government Board as to the amount and duration of any such annuity shall be final.

(10) This section shall apply to the administrative county of London with the following modifications:—

(*a*) As respects the county of London, the byelaws for the purposes specified in subsection (1) of this section shall be made by the London County Council, and any byelaws so made shall supersede any byelaws made for those purposes by the council of any metropolitan borough, and shall be observed and enforced by the council of each metropolitan borough except as regards byelaws for the purposes specified in paragraph (*f*) of subsection (1) which shall be enforced by the London County Council;

(*b*) As respects the City of London, such byelaws shall be made and enforced by the common council except as regards byelaws for the purposes specified in paragraph (*f*) of subsection (1), which shall be made and enforced by the London County Council.

Power to authorise conversion of a house into several tenements.

27. Where it is proved to the satisfaction of the county court on an application by the local authority or any person interested in a house that, owing to changes in the character of the neighbourhood in which such house is situate, the house cannot readily be let as a single tenement but could readily be let for occupation if converted into two or more tenements and that, by reason of the provisions of the lease or of any restrictive covenant affecting the house or otherwise, such conversion is prohibited or restricted, the court, after giving any person interested an opportunity of being heard, may vary the terms of the lease or other instrument imposing the prohibition or restriction so as to enable the house to be so converted subject to such conditions and upon such terms as the court may think just.

Repair of houses.

28.—(1) If the owner of any house suitable for occupation by persons of the working classes fails to make and keep such house in all respects reasonably fit for human habitation then, without prejudice to any other powers, the local authority may serve a notice upon the owner of such house requiring him within

a reasonable time, not being less than twenty-one days, specified in the notice, to execute such works as may be necessary to make the house in all respects reasonably fit for human habitation :

Provided that, if such house is not capable without reconstruction of being rendered fit for human habitation, the owner may, within twenty-one days after the receipt of such notice, by written notice to the local authority declare his intention of closing the house for human habitation, and thereupon a closing order shall be deemed to have become operative in respect of such house. Any question arising under this proviso shall, in case of difference between the owner and the local authority, be determined by the Local Government Board.

(2) If the notice of the local authority is not complied with, the local authority may—

(*a*) at the expiration of the time specified in that notice if no such notice as aforesaid has been given by the owner ; and

(*b*) at the expiration of twenty-one days from the determination by the Local Government Board if such notice has been given by the owner, and the Local Government Board have determined that the house is capable without reconstruction of being made fit for human habitation ;

do the work required to be done.

(3) Any expenses incurred by the local authority under this section may be recovered in a court of summary jurisdiction, together with interest at a rate not exceeding five pounds per centum per annum from the date of service of a demand for the same till payment thereof from the owner, and until recovery of such expenses and interest the same shall be a charge on the premises. In all summary proceedings by the local authority for the recovery of any such expenses, the time within which such proceedings may be taken shall be reckoned from the date of the service of notice of demand.

(4) The local authority may by order declare any such expenses to be payable by monthly or annual instalments within a period not exceeding thirty years with interest at a rate not exceeding five pounds per centum per annum from the date of the service of notice of demand until the whole amount is paid, and any such instalments and interest or any part thereof may be recovered in a summary manner from the owner or occupier, and, if recovered from the occupier, may be deducted by him from the rent of such premises.

(5) In this section "owner" shall have the same meaning as in the Public Health Act, 1875.

(6) This section shall be deemed to be part of Part II. of the principal Act.

Information to tenants of houses for the working classes.

29. In the case of houses intended or used for occupation by the working classes, the name and address of the medical officer of health for the district and of the landlord or other person who is directly responsible for keeping the house in all respects reasonably fit for human habitation shall be inscribed in every rent book or, where a rent book is not used, shall be delivered in writing to the tenant at the commencement of the tenancy and before any rent is demanded or collected; and, if any person demands or collects any rent in contravention of the provisions of this section, he shall in respect of each offence be liable on summary conviction to a fine not exceeding forty shillings.

Power to authorise superior landlord to enter and execute works.

30.—(1) Where it is proved to the satisfaction of the court, on an application in accordance with rules of court of any person entitled to any interest in any land used in whole or in part as a site for houses for the working classes, that the premises on the land are or are likely to become dangerous or injurious to health or unfit for human habitation, and that the interests of the applicant are thereby prejudiced, or that the applicant should be entrusted with the carrying out of a scheme of reconstruction or improvement approved by the local authority of the district in which the land is situate, the court may make an order empowering the applicant forthwith to enter on the land and within the time fixed by the order to execute such works as may be necessary, and may order that any lease or agreement for a lease held from the applicant and any derivative underlease shall be determined, subject to such conditions and to the payment of such compensation as the court may think just.

(2) The court shall include in its order provisions to secure that the proposed works are carried out and may authorise the local authority in whose area the land is situated or which has approved a scheme of reconstruction or improvement under this section to exercise such supervision or take such action as may be necessary for the purpose.

(3) For the purposes of this section, "court" means the High Court of Justice, and the Court of Chancery of the county palatine of Lancaster or Durham or the county court, where those courts respectively have jurisdiction.

Extension of powers under Settled Land Acts.

31. The powers conferred upon a tenant for life by the Settled Land Acts, 1882 to 1890, shall include the following further powers:—

(*a*) A power to make a grant in fee simple or absolutely, or a lease for any term of years, for a nominal price or rent or for less than the best price or rent which could be obtained for the purpose of the erection thereon of dwellings for the working classes or the provision of gardens to be held in connection therewith. Provided that no more than two acres in the case of land situate in an urban district or ten acres in the case of land

situate in a rural district shall be granted as a site for such dwellings or gardens in any one parish without payment of the full price or rent for the excess, except under an order of the court;

(*b*) A power, where money is required for the provision of dwellings available for the working classes, to raise the money on mortgage of the settled land or of any part thereof by conveyance of the fee simple or other the estate subject to the settlement or by creation of a term of years in the settled land or any part thereof or otherwise, and the money so raised shall be capital money for that purpose and may be paid or applied accordingly.

Penalty on re-letting house ordered to be closed.

32. If any owner of a house in respect of which a closing order is in force, or any other person, lets or attempts to let or occupies or permits to be occupied that house or any part thereof as a dwelling-house, he shall on summary conviction be liable to a fine not exceeding twenty pounds.

Amendment of s. 11 of principal Act.

33. The enactments regulating the provision to be made under Part I. of the principal Act for the accommodation of persons of the working classes displaced by the operation of a scheme under that Part shall be the same in cases where the area comprised in the scheme is situate in the county or city of London as in other cases, and accordingly subsection (1) of section eleven of that Act, and in subsection (2) the words "where" and "comprises an area situate elsewhere than in the county or city of London, it" shall be repealed.

Arrangements between the Local Government Board and other Departments.

34. The Local Government Board may make arrangements with any other Government Department for the exercise or performance by that Department of any of their powers and duties under the Housing Acts which in their opinion could be more conveniently so exercised and performed, and in such case the Department and officers of the Department shall have the same powers and duties as are by the Housing Acts conferred on the Local Government Board and their officers.

Provisions of Housing Acts not to be affected by the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915. 5 & 6 Geo. 5. c. 97.

35. Nothing in the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915, or in the enactments amending that Act, shall be deemed to affect the provisions of section seventeen of the Housing, Town Planning, &c. Act, 1909, or to prevent a local authority from obtaining possession of any house the possession of which is required by them for the purpose of exercising their powers under the Housing Acts or under any scheme made under those Acts.

Compensation in cases of subsidence. 54 & 55 Vict. c. 40.

36. Notwithstanding anything in section fifty of the Brine Pumping (Compensation for Subsidence) Act, 1891, a local

authority or county council shall be entitled to compensation in accordance with the provisions of that Act in respect of any injury or damage to any houses belonging to such local authority or council, and provided under a housing scheme towards the losses on which the Local Government Board is liable to contribute under this Act.

Application of Act to New Forest. 1 Edw. 7 c. cxcviii. Local and Private.

37. The provision of houses under the Housing Acts shall be deemed to be a local sanitary requirement for the purpose of the New Forest (Sale of Lands for Public Purposes) Act, 1902. Provided that the total area of land being part of the New Forest which may be sold or let for the provision of houses shall not exceed 30 acres.

Extension of powers of Commissioner of Woods.

38. The Commissioners of Woods may under and in accordance with the provisions of the Crown Lands Acts, 1829 to 1906, sell or let to a local authority for the purposes of Part III. of the principal Act any part of the land described on the duplicate plans which have been deposited with the Clerk of Parliaments and the Clerk of the House of Commons notwithstanding that such land may be part or parcel of a royal park, if the Local Government Board, after holding a local inquiry, are satisfied that the acquisition of the land by the local authority for such purposes as aforesaid is desirable in the national interest.

Procedure and minor amendments of Housing Acts. 3 Edw. 7. c. 39.

39.—(1) The amendments specified in the second column of the Second Schedule to this Act (which relate to procedure under Part I. and Part II. of the principal Act and to minor details) shall be made in the provisions of the principal Act the Housing of the Working Classes Act, 1903, and the Housing, Town Planning, &c. Act, 1909, specified in the first column of that schedule.

(2) Sections fourteen and fifteen of the Housing, Town Planning, &c. Act, 1909, shall be deemed to be part of Part II. of the principal Act.

Construction.

40. This Part of this Act shall be construed as one with the principal Act, and any provisions of this Part of this Act which supersede or amend any provisions of the principal Act shall be deemed to be part of that Part of the principal Act in which the provisions superseded or amended are contained, and references in this Part of this Act to the principal Act or to any provision of the principal Act shall be construed as references to that Act or provision as amended by any subsequent enactment, including this Part of this Act;

In this Part of this Act—

The expression "houses for the working classes" has the same meaning as the expression "lodging-houses for the working classes" has in the principal Act;

The expression "sale" includes sale in consideration of an annual rentcharge, and the expression "sell" has a corresponding meaning;

The expression "public utility society" means a society registered under the Industrial and Provident Societies Acts, 1893 to 1913, the rules whereof prohibit the payment of any interest or dividend at a rate exceeding six per cent. per annum;

The expression "housing trust" means a corporation or body of persons which, by the terms of its constituent instrument, is required to devote the whole of its funds, including any surplus which may arise from its operations, to the provision of houses for persons the majority of whom are in fact members of the working classes, and to other purposes incidental thereto;

The expression "building byelaws" includes byelaws made by any local authority under section one hundred and fifty-seven of the Public Health Act, 1875, as amended by any subsequent enactment, with respect to new buildings including the drainage thereof and new streets, and any enactments in any local Acts dealing with the construction and drainage of new buildings and the laying out and construction of new streets, and any byelaws made with respect to such matters under any such local Act.

Application to London of certain provisions of the Housing Acts.

41.—(1) For the purposes of the application of Part III. of the principal Act to the county of London—

(*a*) the London County Council shall be the local authority for the county, to the exclusion of any other authority, so far as regards the provision of any houses outside the administrative county of London;

(*b*) the council of a metropolitan borough shall be the local authority for the metropolitan borough, to the exclusion of any other authority, so far as regards the provision of houses within the metropolitan borough;

Provided—

(i) that nothing in this section shall prejudice or affect the rights, powers and privileges of the London County Council in regard to any lands, buildings or works acquired, provided or carried out by the County Council before the date of the passing of this Act; and

(ii) that where the London County Council are satisfied that there is situate within the area of a metropolitan borough land suitable for development for housing, the county council

may submit a scheme for the approval of the Local Government Board for the development of such land to meet the needs of districts situate outside the area of such borough, and the county council may carry into effect any scheme which is so approved, and such approval shall have the like effect as if it had been given under section one of this Act;

(*c*) the Local Government Board may by order direct that any of the powers or duties of the council of a metropolitan borough under Part III. of the principal Act shall be transferred to the London County Council, or that any of the powers or duties of the London County Council under Part III. of the principal Act shall be transferred to the council of a metropolitan borough.

(2) Any loss which may be incurred by the council of a metropolitan borough in carrying out a scheme to which section seven of this Act applies shall be repaid to them by the London County Council, and any payments so made by the London County Council shall be deemed to have been made as part of the expenses incurred by them in carrying out a scheme to which that section applies.

(3) The London County Council and the Common Council of the City of London may at any time enter into an agreement for carrying out any scheme for the purposes of Part I. or Part III. of the principal Act, and for the apportionment of the expenses incurred in carrying out such scheme, and, if the scheme is a scheme to which section seven of this Act applies, any payments made under such apportionment by the county council and the common council shall be deemed to have been made as part of the expenses incurred in carrying out a scheme to which that section applies.

PART II.

TOWN PLANNING.

Removal of necessity to obtain previous authorisation of Local Government Board to preparation or adoption of town planning scheme.

42. It shall not be necessary for a local authority to obtain the authority of the Local Government Board to prepare or adopt a town planning scheme, and accordingly for subsection (2) of section fifty-four of the Housing, Town Planning, &c. Act, 1909, (hereinafter referred to as the Act of 1909), the following provision shall be substituted:—

"(2) A local authority within the meaning of this Part of this Act may by resolution decide—

"(*a*) to prepare a town planning scheme with reference to any land within or in the neighbour-

hood of their area in regard to which a scheme may be made under this Act; or

"(*b*) to adopt, with or without any modifications, any town planning scheme proposed by all or any of the owners of any land with respect to which the local authority are themselves by this Act authorised to prepare a scheme:

"Provided that—

"(i) if any such resolution of a local authority extends to land not within the area of that local authority, the resolution shall not have effect until it is approved by the Local Government Board, and the Board may, in giving their approval, vary the extent of the land to be included within the area of the proposed town planning scheme; and

"(ii) where any local authorities are desirous of acting jointly in the preparation or adoption of a town planning scheme, they may concur in appointing out of their respective bodies a joint committee for the purpose, and in conferring with or without restrictions on any such committee any powers which the appointing councils might exercise for the purpose, and the provisions of sections fifty-seven and fifty-eight of the Local Government Act, 1894, in regard to joint committees, shall, with the necessary modifications, apply to any joint committee so appointed."

Extension of power to make regulations as to procedure.

43.—(1) The power of the Local Government Board of making regulations under section fifty-six of the Act of 1909 shall include power to make regulations as to the procedure consequent on the passing of a resolution by a local authority to prepare or adopt a town planning scheme, and provision shall be made by those regulations for securing that a local authority after passing such a resolution shall proceed with all reasonable speed with the preparation or adoption of the town planning scheme, and shall comply with any regulations as to steps to be taken for that purpose, including provisions enabling the Local Government Board in the case of default or dilatoriness on the part of the local authority to act in the place and at the expense of the local authority.

(2) Subsection (2) of section fifty-six of the Act of 1909 shall have effect as if the following paragraph were added thereto:

"For securing that the council of the county in which any land proposed to be included in a town planning scheme is situated (1) shall be furnished with a notice of any proposal to prepare or adopt such a scheme and

with a copy of the draft scheme before the scheme is made, and (2) shall be entitled to be heard at any public local inquiry held by the Local Government Board in regard to the scheme."

Repeal of provisoes to ss. 54 (4) & 55 (2) of 9 Edw. 7 c. 44.

44. The proviso to subsection (4) of section fifty-four and the proviso to subsection (2) of section fifty-five of the Act of 1909 (which provisoes relate to the publication and laying before Parliament of town planning schemes) are hereby repealed.

Power to permit development of estates pending preparation and approval of town planning schemes.

45. The Local Government Board may by special or general order provide that where a resolution to prepare or adopt a town planning scheme has been passed, or where before the passing of this Act the preparation or adoption of a town planning scheme has been authorised, the development of estates and building operations may be permitted to proceed pending the preparation or adoption and approval of the town planning scheme, subject to such conditions as may be prescribed by the order, and where such permission has been given the provisions of subsection (2) of section fifty-eight of the Act of 1909 which relates to the rights of compensation shall have effect as if the following proviso were added thereto:

"Provided also that this provision shall not apply as respects any building erected, contract made, or other thing done in accordance with a permission granted in pursuance of an order of the Local Government Board allowing the development of estates and building operations to proceed pending the preparation or adoption and approval of the scheme, and the carrying out of works so permitted shall not prejudice any claim of any person to compensation in respect of property injuriously affected by the making of the scheme."

Preparation of town planning schemes.

46.—(1) The council of every borough or other urban district containing on the first day of January nineteen hundred and twenty-three a population according to the last census for the time being of more than twenty thousand shall, within three years after that date, prepare and submit to the Local Government Board a town planning scheme in respect of all land within the borough or urban district in respect of which a town planning scheme may be made under the Act of 1909.

(2) Without prejudice to the powers of the council under the Act of 1909, every scheme to which this section applies shall deal with such matters as may be determined by regulations to be made by the Local Government Board.

(3) Every regulation so made shall be laid before both Houses of Parliament as soon as may be after it is made, and, if an address is presented by either house within twenty-one days on which that House has sat next after any such regulation is

laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, but without prejudice to the validity of anything previously done thereunder.

Power of Local Government Board to require town planning scheme.

47.—(1) Where the Local Government Board are satisfied after holding a public local inquiry that a town planning scheme ought to be made by a local authority as respects any land in regard to which a town planning scheme may be made under the Act of 1909, the Board may by order require the local authority to prepare and submit for their approval such a scheme, and, if the scheme is approved by the Board, to do all things necessary for enforcing the observance of the scheme or any provisions thereof effectively, and for executing any works which, under the scheme or under Part II. of the Act of 1909, the authority are required to execute.

(2) Any order made by the Local Government Board under this section shall have the same effect as a resolution of the local authority deciding to prepare a town planning scheme in respect of the area in regard to which the order is made.

(3) If the local authority fail to prepare a scheme to the satisfaction of the Board within such time as may be prescribed by the order, or to enforce the observance of the scheme or any provisions thereof effectively, or to execute any such works as aforesaid, the Board may themselves act, or in the case of a borough or other urban district the population of which is less than 20,000, or of a rural district, may, if the Board think fit, by order, empower the county council to act in the place and at the expense of the local authority.

Consequential and minor amendments.

48. The amendments specified in the second column of the Third Schedule to this Act (which relate to consequential and minor matters) shall be made in the provisions of Part II. of the Act of 1909 mentioned in the first column of that schedule.

PART III.

ACQUISITION OF SMALL DWELLINGS.

Amendment of 62 & 63 Vict. c. 44.

49. The following amendments shall be made in the Small Dwellings Acquisition Act, 1899 :—

(*a*) In subsection (1) of section one "eight hundred pounds" shall be substituted for "four hundred pounds" as the limit on the market value of houses in respect of which advances may be made :

(*b*) In paragraph (*a*) subsection (1) of section one "eighty-five per cent." shall be substituted for "four-fifths" with respect to the limitation on the amount which may be advanced :

(*c*) Paragraph (*b*) of subsection (1) of section one shall be repealed:

(*d*) A receipt under seal in the form set out in Part I. of the Fourth Schedule to this Act (with such variations and additions (if any) as may be thought expedient) endorsed on, or written at the foot of, or annexed to, a mortgage for money advanced under the Act which states the name of the person who pays the money and is executed by a local authority shall, without any re-conveyance, re-assignment or release, operate as a discharge of the mortgaged property from all principal money and interest secured by, and from all claims under the mortgage, and shall have such further operation as is specified in Part II. of that schedule:

Provided that—

(*a*) nothing in this provision shall affect the right of any person to require the re-conveyance, re-assignment, surrender, release, or transfer to be executed in lieu of a receipt; and

(*b*) the receipt shall not be liable to stamp duty and shall be granted free of cost to the person who pays the money.

PART IV.

GENERAL.

Repeals.

50. The enactments specified in the Fifth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

Extent.

51. This Act shall not extend to Scotland or Ireland.

Short title.

52.—(1) This Act may be cited as the Housing, Town Planning, &c. Act, 1919.

(2) The Housing of the Working Classes Acts, 1890 to 1909, and this Act so far as it amends those Acts may be cited together as the Housing Acts, 1890 to 1919, and are in this Act referred to as the "Housing Acts."

(3) Part II. of the Housing, Town Planning, &c. Act, 1909, and Part II. of this Act may be cited together as the Town Planning Acts, 1909 and 1919.

(4) The Small Dwellings Acquisition Act, 1899, and Part III. of this Act may be cited together as the Small Dwellings Acquisition Acts, 1899 and 1919.

SCHEDULES.

FIRST SCHEDULE.

Section 9.

RULES FOR DETERMINING THE AMOUNT OF REDUCTION OF COMPENSATION.

(*a*) The value of the whole of the land included in the scheme shall first be ascertained on the basis of its value as a cleared site available for development in accordance with the requirements of the building byelaws in force in the district.

(*b*) The value of the whole of the said land shall next be ascertained on the basis of its value as a cleared site subject to the requirements of the scheme as to the provision to be made for the rehousing of persons of the working-classes or the laying out of open spaces on the land or any part thereof.

(*c*) The difference between the amounts ascertained under paragraph (*a*) and paragraph (*b*) shall then be computed.

(*d*) The amount by which the compensation payable for the respective interests in the land to which section nine of this Act applies, as ascertained in accordance with the principle laid down in that section, is to be reduced shall be a fraction thereof equal to the amount arrived at under paragraph (*c*) when divided by the amount arrived at under paragraph (*a*).

SECOND SCHEDULE.

Section 39.

AMENDMENTS AS TO PROCEDURE UNDER PART I. AND PART II. OF THE PRINCIPAL ACT AND MINOR AMENDMENTS OF THE HOUSING ACTS.

Enactment to be amended.	Nature of Amendment
Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70): s. 5 (2)	For the words "two or more justices" there shall be substituted the words "any justice," and for the word "twelve" there shall be substituted the word "six."

Enactment to be amended.	Nature of Amendment.
Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70):	
s. 6 (3)	For the words "the person entitled to the first "estate of freehold in any property comprised "in the scheme, or with the concurrence of "such person" there shall be substituted the words "any person having such interest in any "property comprised in the scheme as may be "sufficient to enable him to carry out and effect "the same."
s. 12 (6)	For the words "the person entitled to the first "estate of freehold in any land comprised in an "improvement scheme" there shall be substituted the words "any person having such "interest in any land comprised in an improve-"ment scheme as may be sufficient to enable "him to carry out and effect the same."
s. 7	After the words "the local authority shall" there shall be inserted the word "forthwith."
s. 7 (*a*)	The words "during three consecutive weeks in the "month of September or October or November" shall be omitted. Substitute "a" for "some "one and the same."
s. 7 (*b*)	The words "during the month next following the "month in which such advertisement is pub-"lished" shall be omitted. After "occupier" there shall be inserted "(except tenants for a "month or a less period than a month)."
s. 8 (5)	For the word "copy" there shall be substituted the word "notice." The words "except tenants "for a month or a less period than a month" shall be omitted.
s. 12 (1)	At end there shall be inserted the words "provided "that the Local Authority shall not be required "to acquire any leasehold interest in any "property comprised in a scheme which can be "allowed to expire without unduly delaying "the execution of the scheme."
s. 14	The whole section shall be omitted.
s. 16 (1)	For the words "twelve or more ratepayers have "complained" there shall be substituted the words "complaint has been made," and after the word "district" there shall be inserted the words "by any person or persons competent "under the foregoing provisions of this part of "this Act to make such complaint," and for the word "ratepayers" there shall be substituted the words "complainant or complainants, as the "case may be."
	For the words from "and upon" to "the con-"firming authority shall" there shall be substituted the words "and the confirming authority "may."

Enactment to be amended.	Nature of Amendment.
Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70):	
s. 31 (1)	For the words "in any district any four or more "householders living in or near to any street" there shall be substituted the words "any justice "of the peace acting for a district, or any four "or more householders in a district," and the words "in or near that street" shall be omitted.
s. 31 (2)	Before the word "householders" there shall be inserted the words "justice of the peace or"
s. 38 (2)	Before the words "any four or more inhabitant "householders of" there shall be inserted the words "any justice of the peace acting for a "district, or"
s. 45 (1)	After the words "where the medical officer of "health" there shall be inserted the words "inspector of nuisances or other officer of the "district authority."
s. 57 (3)	The words "if not a rural sanitary authority" and the words "and if a rural sanitary authority "with the consent of the county council of the "county in which the land is situate" shall be omitted.
s. 81	The word "or" shall be inserted before the words "to make any rate." The words "out of their "own number," and the words "or to enter "into any contract" shall be omitted. After the words "provided that a committee so "appointed shall" there shall be inserted the words "consist as to a majority of its members "of members of the appointing local authority, "and shall."
First Schedule - -	For the words "The Commissioners of Sewers" there shall be substituted "The Common "Council," and for the words "The sewer rate "and the consolidated rate levied by such Com-"missioners, or either of such rates," there shall be substituted the words "The General "Rate."
Second Schedule—	
Paragraph (1) -	For the words "as soon as practicable after the "passing of the confirming Act" there shall be substituted the words "before making an "application for the appointment of an arbi-"trator as hereinafter mentioned."
	After the word "occupiers" there shall be inserted the words "except tenants for a month or a less "period than a month."
Paragraph (4) -	For the words "has not been" there shall be substituted the words "is not."
Paragraph (6) -	For the words beginning "and the local authority "shall publish" to the end of the paragraph there shall be substituted the words "Before "applying to the arbitrator to determine the

Enactment to be amended.	Nature of Amendment.
Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70): Second Schedule—*cont.*	
Paragraph 6—*cont.*	" compensation in respect of any particular " lands or interest therein, the local authority " shall send a notice by post of their intention " to the owners or reputed owners, lessees or " reputed lessees, so far as they can be reasonably ascertained."
Paragraph (7)	The words from " shall ascertain " to " willing to " pay; and " shall be omitted, and for the words " he shall proceed " there shall be substituted the words " shall proceed."
Paragraph (8)	The words " by causing such notice to be published " or otherwise in such manner as he thinks " advisable " and the words " in disputed cases " as to the amount of compensation to be paid " shall be omitted.
Paragraph (9)	The words " (subject to the provisions concerning " an appeal hereinafter contained) " shall be omitted.
Paragraph (10)	For the words from " and the local authority shall " thereupon " to the end of the paragraph there shall be inserted the words " The title in the " case of a person claiming a fee simple interest " in any lands included in any such award as " aforesaid shall commence twenty years previous to the date of the claim except there has " been an absolute conveyance on sale within " twenty years and more than ten years previous " to the claim when the title shall commence " with such conveyance. Provided that the " local authority shall not be prevented if they " think fit from requiring at their own expense " any further abstract or evidence of title " respecting any lands included in any such " award as aforesaid in addition to the title " hereinbefore mentioned."
Paragraph (12)	The words from " The local authority, or any " person interested " to the end of the paragraph shall be omitted.
Paragraph (14)	For the words " such statement and abstract as " aforesaid " there shall be substituted the words " a statement in writing by any person claiming " any right to, or interest in, the lands and an " abstract of title on which the same is " founded."
Paragraphs (22), (26) and (27).	These paragraphs shall be omitted.
Paragraph (29) (1) (*c*).	For the words " before the appointment of the " arbitrator " there shall be substituted the words " not less than 14 days before the date of the " arbitration in that particular case."
Paragraph (30)	After the word " documents " there shall be inserted the words " other than any formal " offer made by the local authority."
Paragraph (32)	Substitute " a " for " someone and the same."

Enactment to be amended.	Nature of Amendment.
Housing of the Working Classes Act, 1903 (3 Edw. 7. c. 39):	
s. 4 (2)	For the word "twelve" in both places where the word "twelve" occurs there shall be substituted the word "six."
Housing, Town Planning, &c. Act, 1909 (9 Edw. 7. c. 44):	
s. 17 (3)	For the word "order," where it last occurs, shall be substituted the word "notice."
s. 17 (4)	For the words "every occupying tenant" shall be substituted the words "the occupier."
s. 17 (7)	After the words "nearest to the room" insert the words "or more than three feet below the "surface of any ground within nine feet of the "room."
s. 18 (3)	At the end the following words shall be inserted: "and if and when the necessary works are "completed to their satisfaction, the local "authority shall determine the closing and "demolition orders relating to the dwelling-"house."
s. 18 (4)	For the word "order," where it last occurs, shall shall be substituted the word "notice"; and at the end of the subsection the following words shall be inserted: "or where the operation of the "order has been postponed for any period within "fourteen days after the expiration of that "period."
s. 39 (1)	At the end of the proviso (*b*) the following words shall be inserted: "unless the appellant fails to "prosecute his appeal with due diligence."
s. 69 (1)	For the words "or information" shall be substituted the words "information or closing order."

THIRD SCHEDULE.

Section 48.

Minor and Consequential Amendments of the Provisions as to Town Planning.

Enactment to be amended.	Nature of Amendment.
Housing, Town Planning, &c. Act, 1909 (9 Edw. 7. c. 44):	
Section 54 - - -	At the end of subsection (1) the following proviso shall be inserted:— "Provided that where a piece of land already built upon or a piece of land not likely to be used for building purposes is so situate with respect to

Enactment to be amended.	Nature of Amendment.
Housing, Town Planning, &c. Act, 1909 (9 Edw. 7. c. 44):	
Section 54—*cont.*	any land likely to be used for building purposes that the general object of the scheme would be better secured by its inclusion in any town planning scheme made with respect to the last-mentioned land, the scheme may include such piece of land as aforesaid, and may provide for the demolition or alteration of any buildings thereon so far as may be necessary for carrying the scheme into effect." Subsection (3) shall be omitted.
Section 56 - - -	In subsection (1) for the words "applications for " authority to prepare or adopt a town planning " scheme, the preparation of the scheme " there shall be substituted the words "the preparation " or adoption of a town planning scheme," and after the word "adopted" there shall be inserted the words "the variation or revocation of a " scheme," and after the words "the provisions " thereof" there shall be inserted the words "or " the variation or revocation of the scheme." In paragraph (*a*) of subsection (2) for the words "at every stage of the proceedings, by means of " conferences and such other means" there shall be substituted the words "by such means."
Section 58 - - -	In subsection (2) for the words "time at which the " application for authority to prepare the scheme " was made" there shall be substituted the words "date of the resolution of the local " authority to prepare or adopt the scheme or " after the date when such resolution takes " effect as the case may be" and for the words "the application was made" there shall be substituted the words "such date or other time " as aforesaid."
Section 59 - - -	In subsection (2) the words "with a view to " securing the amenity of the area included in " the scheme or any part thereof" shall be omitted.
Section 65 - - -	In subsection (2) after the words "made there- " under" where they secondly occur there shall be inserted the words "including the cost of " the preparation or adoption of a scheme."
Fourth Schedule - -	In paragraph (18) the words "by means of " conferences, &c." shall be omitted.
Fifth Schedule - -	In paragraph (1) for the words "and for the " purpose of an application for authority to " prepare or adopt" there shall be substituted the words "the preparation or adoption of," and for the words "Submission of plans and " estimates" there shall be substituted the words "Preparation and deposit of plans."

FOURTH SCHEDULE.

PART I.

Section 49.

FORM OF ENDORSED RECEIPT.

The local authority of hereby acknowledge that they have this day of 19 , received the sum of £ representing the [aggregate] [balance remaining owing in respect of the] principal money secured by the within [above] written [annexed] mortgage [and by an indenture of further charge dated, &c., *or otherwise as required*] together with all interest and costs, the payment having been made by of [&c.] and of [&c.] out of money in their hands properly applicable for the discharge of the mortgage [*or otherwise as required*].

In witness &c.

PART II.

EFFECT OF ENDORSED RECEIPT.

(1) Any such receipt shall operate—

(*a*) In the case of land in fee simple comprised in the mortgage, as a conveyance or re-conveyance (as the case may be) of the land to the person (if any) who immediately before the execution of the receipt was entitled in fee simple to the equity of redemption, or otherwise to the mortgagor in fee simple to the uses (if any) upon the trusts subject to the powers and provisions which at that time are subsisting or capable of taking effect with respect to the equity of redemption or to uses (if any) which correspond as nearly as may be with the limitations then affecting the equity of redemption :

(*b*) In the case of other property, as an assignment or re-assignment (as the case may be) thereof to the extent of the interest which is the subject-matter of the mortgage, to the person who immediately before the execution of the receipt was entitled to the equity of redemption :

Provided that (except as hereinafter mentioned) where, by the receipt, the money appears to have been paid by a person who is not entitled to the immediate equity of redemption, then, unless it is otherwise expressly provided, the receipt shall operate as if the mortgage had been a statutory mortgage and the benefit thereof had, by deed expressed to be made by way of statutory transfer of mortgage, been transferred to him ; but this provision shall not apply where the mortgage is paid off out of capital money, or other money in the hands of a personal representative or trustee properly applicable for the discharge of the mortgage, unless it is expressly provided that the receipt is to operate as a transfer.

(2) Nothing in this schedule shall confer on a mortgagor a right to keep alive a mortgage, paid off by him, so as to affect prejudicially any subsequent incumbrancer ; and where there is no right to keep the mortgage alive, the receipt shall not operate as a transfer.

(3) In any such receipt the same covenants shall be implied as if the person who executes the receipt had by deed been expressed to convey the property as mortgagee.

(4) Where a mortgage consists of a mortgage and a further charge or of more than one deed, it shall be sufficient if the receipt refers either to all the deeds whereby the mortgage money is secured or to the aggregate amount of the mortgage money thereby secured and is endorsed on, written at the foot of, or annexed to, one of the mortgage deeds.

(5) In this schedule the expressions "mortgage" "mortgage money" "mortgagor" and "mortgagee" have the same meanings as in the Conveyancing Act, 1881.

44 & 45 Vict. c. 41.

Section 50.

FIFTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
53 & 54 Vict. c. 70.	The Housing of the Working Classes Act, 1890.	Sections fourteen, sixty and sixty-four and subsection (2) of section fifty-seven.
63 & 64 Vict. c. 59.	The Housing of the Working Classes Act, 1900.	Section five.
3 Edw. 7. c. 39	The Housing of the Working Classes Act, 1903.	Subsection (1) of section five.
9 Edw. 7. c. 44	The Housing, Town Planning, &c. Act, 1909.	Subsection (2) of section four, sections six, sixteen, thirty-two and seventy-two and in the First Schedule the paragraph numbered (7).

CHAPTER 36.

An Act to alter the rate of remuneration for the purposes of exception from insurance under the National Insurance (Health) Acts, 1911 to 1918, and for purposes in connection therewith. [15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Increase of rate of remuneration. 1 & 2 Geo. 5. c. 55.

1.—(1) Two hundred and fifty pounds shall be substituted for one hundred and sixty pounds in paragraph (*g*) of Part II. of the First Schedule to the National Insurance Act, 1911 (which

provides for the exception from the employments to which Part I. of that Act applies of employments otherwise than by way of manual labour, and at a rate of remuneration exceeding in value one hundred and sixty pounds a year):

Provided that any person shall be entitled to a certificate of exemption under section two of that Act who satisfies the Minister of Health, on an application made before the first day of January nineteen hundred and twenty, or such later date as the Minister may in any particular case allow, that he is engaged in employment which but for the provisions of this Act would have been excepted from Part I. of that Act, and that he has not, since the commencement of this Act, been engaged in any employment which would not have been so excepted, but, if any person to whom any certificate of exemption has been granted under this provision subsequently enters into any employment which would not have been so excepted, the certificate shall cease to have effect.

(2) In the application of this section to Scotland and Ireland the Scottish Board of Health and the Irish Insurance Commissioners, respectively, shall be substituted for the Minister of Health.

Short title, construction and commencement.

2.—(1) This Act may be cited as the National Health Insurance Act, 1919, and shall be construed as one with the National Insurance (Health) Acts, 1911 to 1918; and those Acts and this Act may be cited together as the National Insurance (Health) Acts, 1911 to 1919.

(2) This Act shall be deemed to have come into operation on the thirtieth day of June nineteen hundred and nineteen, so, however, that no liability shall be thereby imposed on any person in respect of the payment of contributions payable between that date and the date of the passing of this Act.

. . . . . .

CHAPTER 37.

An Act to make further provision for raising Money for the present War, and for purposes in connexion therewith; to authorise the extension in certain cases of War Savings Certificates, and to make further provision in relation to Government Securities.

[15th August 1919.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved that money be

raised in manner provided by this Act; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of new War Loan.

1.—(1) Any money required for the raising of any supply granted to His Majesty for the service of the year ending the thirty-first day of March, nineteen hundred and twenty, up to an amount not exceeding two hundred and fifty million pounds, or for the repayment of any maturing securities issued under the War Loan Acts, 1914 to 1918, or of any Treasury bills, or of any Ways and Means advances, may be raised in such manner as the Treasury think fit, and for that purpose they may create and issue any securities by means of which any public loan has been raised or may be raised, or such other securities bearing such rate of interest and subject to such conditions as to repayment, redemption, or otherwise as they think fit.

(2) The Treasury may also create and issue securities in exchange for any of the securities specified in the Schedule to this Act, and may arrange for giving an option (subject to such conditions and to such terms as the Treasury determine, and with or without payment of any further consideration) to any holders of those securities to take new securities in lieu thereof.

Any securities surrendered for the purpose of such exchange shall be cancelled, and any sums received in pursuance of any option given under this provision shall be paid into the Exchequer.

(3) The principal and interest of any securities issued under this section, whether for the purpose of raising money or for the purpose of exchange, and any sums required to be set aside for the purposes of any sinking fund established under this Act, and any expenses incurred in connexion with the raising of money or the issue or exchange of securities under this section, shall be charged on the Consolidated Fund of the United Kingdom or the growing produce thereof.

4 & 5 Geo. 5. c. 10.

(4) Subsections (2) and (3) of section fourteen of the Finance Act, 1914 (Session 2), shall apply to any sums or loan raised or any securities issued under this Act as they apply to

4 & 5 Geo. 5. c. 60.

sums or loans raised or stock issued under the War Loan Act,

5 & 6 Geo. 5. c. 55.

1914, subsection (4) of section one of the War Loan Act, 1915, shall apply to the exchange of securities under this Act as it applies to the exchange of securities under that Act, and subsection (5) of the last-mentioned section shall have effect as though for the reference therein to securities issued under the War Loan Act, 1914, there were substituted a reference to securities issued under the War Loan Acts, 1914 to 1918, and this Act.

(5) There shall be paid to the Banks of England and Ireland, respectively, out of the Consolidated Fund or the growing

produce thereof, for the management in any financial year of any securities issued under this Act, such sums as may be agreed upon between the Treasury and those banks respectively.

(6) The powers given to the Treasury under this Act shall be in addition to, and not in derogation of, any powers of the Treasury to borrow for the time being.

Redemption of securities.

2. There shall be set aside at the close of each half-year a sum equal to two and a quarter per cent. on the nominal amount of any 4 per cent. Victory Bonds or 4 per cent. Funding Loan, 1960–1990, originally created under the prospectuses dated the twelfth day of June, nineteen hundred and nineteen, and after deducting therefrom the amount required for the payment of interest on those securities for the half year the balance of the sum so set aside shall be issued to the National Debt Commissioners and be applied by them to sinking fund purposes in accordance with the terms of the above-mentioned prospectuses.

The Treasury may make arrangements for the redemption of 4 per cent. Victory Bonds at par by means of annual drawings, and may make regulations for the drawing of such bonds, and the bonds so drawn in any year shall be redeemed on the first day of September in that year.

Transfer of securities in satisfaction of duties. 7 & 8 Geo. 5. c. 31.

3.—(1) The Treasury may direct that subsection (3) of section thirty-four of the Finance Act, 1917 (which relates to the maturing for payment of stock or bonds transferred in satisfaction of certain duties), shall not apply to any securities issued under this Act which may be specified in the direction.

(2) The Treasury may by regulation provide—

(*a*) for the opening of an account by the National Debt Commissioners and for the transference to such account of securities issued under the War Loan Acts, 1914 to 1918, and this Act, and accepted by the Commissioners of Inland Revenue in payment of death duties; and

(*b*) for the manner in which any such securities are to be held, cancelled, or dealt with;

and the National Debt Commissioners may make to the Commissioners of Inland Revenue in respect of securities so transferred such payments as may be prescribed by the regulations.

(3) Any sums received by way of interest or repayment of principal in respect of securities so transferred shall be applied by the National Debt Commissioners to the above payments, and so far as the amounts thus available are insufficient to meet such payments the Treasury may issue out of and charge on the Consolidated Fund or the growing produce thereof such sums as may be required to meet the deficiency; and any balance in the hands of the National Debt Commissioners shall be paid into the Exchequer as and when the Treasury direct.

(4) The National Debt Commissioners shall keep such accounts of the sinking funds provided under this Act, and of the transactions in connexion with the securities held by them under the above subsection, as the Treasury may from time to time direct, and those accounts shall be submitted to the Comptroller and Auditor-General in such form as the Treasury may from time to time direct and be audited by him.

Extension of currency of war savings certificates.

4.—(1) Notwithstanding anything in the War Loan Acts, 1914 to 1918, or any regulations made with respect to, or any conditions relating to the issue of war savings certificates, any such certificate issued under those Acts or under this Act shall not, if the Treasury so direct and subject to such conditions with respect to interest and otherwise as may be agreed to by the holder of the certificate, be required to be repaid or redeemed until the expiration of five years after the date on which it was originally repayable or redeemable :

Provided that nothing in this section shall prejudice the right of any holder of war savings certificates, if he so desires, to have the amount payable under the certificate paid to him on or before maturity.

8 & 9 Geo. 5. c. 15.

(2) Section forty-one of the Finance Act, 1918, shall, in relation to any war savings certificates whereof the currency is extended under this section, have effect as though ten years were substituted for five years.

Extension of provision for dealing with small amounts of Government stock.

5. Subsection (2) of section thirty-eight of the Finance Act, 1918 (which makes provision for dealing with small amounts of Government stock belonging to persons dying in military service who were resident in His Majesty's Dominions outside the United Kingdom), shall have effect as though the reference to those Dominions included a reference to any territory under His Majesty's protection.

Securities issued under War Loan Acts to be moveable estate.

6. For removing doubts, it is hereby declared that stock or securities issued under the War Loan Acts, 1914 to 1918, or under this Act, shall be and shall be deemed always to have been moveable estate as regards the succession of the holder and any right of the husband or wife of such holder.

Short title.

7. This Act may be cited as the War Loan Act, 1919, and the War Loan Acts, 1914 to 1918, and this Act may be cited together as the War Loan Acts, 1914 to 1919 and the War Loan Act, 1918, and this Act shall be deemed to be Acts amending the War Loan Acts, 1914 to 1917.

SCHEDULE.

Section 1.

SECURITIES TO BE RECEIVED IN EXCHANGE FOR NEW SECURITIES.

4*l.* 10*s.* per cent. War Loan 1925-1945.
5*l.* per cent. Exchequer Bonds 1919, 1920, 1921, 1922.
6*l.* per cent. Exchequer Bonds 1920.
4*l.* per cent. National War Bonds, 1st, 2nd and 3rd series.
5*l.* per cent. National War Bonds, 1st, 2nd and 3rd series.

CHAPTER 38.

An Act to make further provision with respect to Wireless Telegraphy on Ships. [15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Wireless telegraphy requirements.

1.—(1) Every seagoing British ship registered in the United Kingdom being a passenger steamer or a ship of sixteen hundred tons gross tonnage or upwards shall be provided with a wireless telegraph installation, and shall maintain a wireless telegraph service which shall be at least sufficient to comply with the rules made for the purpose under this Act, and shall be provided with one or more certified operators and watchers, at least, in accordance with those rules:

Provided that the Board of Trade may exempt from the obligations imposed by this Act any ships or classes of ships if they are of opinion that, having regard to the nature of the voyages on which the ships are engaged, or other circumstances of the case, the provision of a wireless telegraph apparatus is unnecessary or unreasonable.

(2) The Board of Trade, in consultation with the Postmaster-General, shall make rules prescribing the nature of the wireless telegraph installation to be provided, of the services to be maintained, and the number, grade, and qualifications of operators and watchers to be carried:

Provided that no ship shall be required to carry more than one operator unless more than one operator would have been required under the provisions of the Merchant Shipping (Convention) Act, 1914. 4 & 5 Geo. 5. c. 50.

(3) If this section is not complied with in the case of any ship, the master or owner of the ship shall be liable in respect of each offence to a fine not exceeding five hundred pounds, and any such offence may be prosecuted summarily, but, if the

offence is prosecuted summarily, the fine shall not exceed one hundred pounds.

(4) A surveyor of ships or a wireless telegraphy inspector may inspect any ship for the purpose of seeing that she is properly provided with a wireless telegraph installation and certified operators and watchers in conformity with this Act, and for the purpose of that inspection shall have all the powers of a Board of Trade inspector under the Merchant Shipping Acts, 1894 to 1916.

If the said surveyor or inspector finds that the ship is not so provided, he shall give to the master or owner notice in writing pointing out the deficiency, and also pointing out what in his opinion is requisite to remedy the same.

Every notice so given shall be communicated in the manner directed by the Board of Trade to the chief officer of customs of any port at which the ship may seek to obtain a clearance or transire, and the ship shall be detained until a certificate under the hand of any such surveyor or inspector is produced to the effect that the ship is properly provided with wireless telegraph installation and certified operators and watchers in conformity with this Act.

(5) The obligations imposed by this Act shall not come into operation while the obligations with respect to wireless telegraphy on ships imposed by the Defence of the Realm Regulations remain in force, but shall be in addition to, and not in substitution for, the obligations as to wireless telegraphy imposed by the Wireless Telegraphy Act, 1904, or any Order in Council, or regulations made thereunder, or by the Merchant Shipping (Convention) Act, 1914.

4 Edw. 7. c. 24.

Application to ships not registered in the United Kingdom.

2. The foregoing provisions of this Act shall, as from a date three months after the coming into operation of the obligations imposed by this Act on British ships registered in the United Kingdom, apply to ships other than British ships registered in the United Kingdom while they are within any port in the United Kingdom in like manner as they apply to British ships so registered.

Short title and construction.

3.—(1) This Act may be cited as the Merchant Shipping (Wireless Telegraphy) Act, 1919, and the Merchant Shipping Acts, 1894 to 1916, and this Act may be cited together as the Merchant Shipping Acts, 1894 to 1919.

57 & 58 Vict. c. 60.

(2) This Act shall be construed as one with the Merchant Shipping Act, 1894, and "passenger steamer" shall mean a steamer which carries more than twelve passengers, and "wireless telegraphy inspector" means an officer appointed under section twenty of the Merchant Shipping (Convention) Act, 1914, for the purposes therein mentioned.

4 & 5 Geo. 5. c. 50. s. 20.

CHAPTER 39.

An Act to continue certain Expiring Laws.

[15th August 1919.]

WHEREAS the Acts mentioned in the Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire, as respects the Acts mentioned in Part I. of that schedule, on the thirty-first day of December nineteen hundred and nineteen, and, as respects the Act mentioned in Part II. of that schedule, on the first day of January nineteen hundred and twenty, and, as respects the Acts mentioned in Part III. of that schedule, on the thirty-first day of March nineteen hundred and twenty:

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of Acts in schedule.

1.—(1) The Acts mentioned in Part I. and Part II. of the Schedule to this Act shall, to the extent specified in column three of that schedule, be continued until the thirty-first day of December nineteen hundred and twenty, and shall then expire, unless further continued.

(2) The Acts mentioned in Part III. of the Schedule to this Act shall, to the extent specified in column three of that schedule, be continued until the thirty-first day of March nineteen hundred and twenty-one, and shall then expire, unless further continued.

(3) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether they are mentioned in the Schedule to this Act or not.

Short title.

2. This Act may be cited as the Expiring Laws Continuance Act, 1919.

SCHEDULE.

Section 1.

PART I.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1) 3 & 4 Vict. c. 89.	The Poor Rate Exemption Act, 1840.	The whole Act.	—

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(2) 3 & 4 Vict. c. 91.	The Textile Manufactures (Ireland) Act, 1840.	The whole Act -	5 & 6 Vict. c. 68. 30 & 31 Vict. c. 60.
(3) 4 & 5 Vict. c. 30.	The Ordnance Survey Act, 1841.	The whole Act -	33 & 34 Vict. c. 13. 47 & 48 Vict. c. 43. 52 & 53 Vict. c. 30.
(4) 10 & 11 Vict. c. 98.	The Ecclesiastical Jurisdiction Act, 1847.	As to the provisions continued by 21 & 22 Vict. c. 50.	——
(5) 14 & 15 Vict. c. 104.	The Episcopal and Capitular Estates Act, 1851.	The whole Act -	17 & 18 Vict. c. 116. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 32 Vict. c. 114. s. 10.
(6). 17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	26 & 27 Vict. c. 29. s. 6. 31 & 32 Vict. c. 125. 46 & 47 Vict. c. 51.
(7) 26 & 27 Vict. c. 105.	The Promissory Notes Act, 1863.	The whole Act -	45 & 46 Vict. c. 61.
(8) 27 & 28 Vict. c. 20.	The Promissory Notes (Ireland) Act, 1864.	The whole Act.	——
(9) 28 & 29 Vict. c. 46.	The Militia (Ballot Suspension) Act, 1865.	The whole Act -	45 & 46 Vict. c. 49.
(10) 28 & 29 Vict. c. 83.	The Locomotives Act, 1865	The whole Act -	41 & 42 Vict. c. 58. 41 & 42 Vict. c. 77. (Part II.) 59 & 60 Vict. c. 36. 61 & 62 Vict. c. 29. 1 & 2 Geo. 5. c. 45.
(11) 31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	42 & 43 Vict. c. 75. 46 & 47 Vict. c. 51.
(12) 32 & 33 Vict. c. 21.	The Corrupt Practices Commission Expenses Act, 1869.	The whole Act -	34 & 35 Vict. c. 61.
(13) 32 & 33 Vict. c. 56.	The Endowed Schools Act, 1869.	As to the powers of making schemes.	36 & 37 Vict. c. 87. 37 & 38 Vict. c. 87. 52 & 53 Vict. c. 40. 8 Edw. 7. c. 39.
(14) 33 & 34 Vict. c. 112.	The Glebe Loan (Ireland) Act, 1870.	The whole Act -	34 & 35 Vict. c. 100. 49 Vict. c. 6.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(15) 34 & 35 Vict. c. 87.	The Sunday Observation Prosecution Act, 1871.	The whole Act.	—
(16) 39 & 40 Vict. c. 21.	The Jurors Qualification (Ireland) Act, 1876.	The whole Act -	57 & 58 Vict. c. 49. 61 & 62 Vict. c. 37. s. 69.
(17) 43 & 44 Vict. c. 42.	The Employers Liability Act, 1880.	The whole Act -	6 Edw. 7. c. 58. s. 14.
(18) 46 & 47 Vict. c. 60.	The Labourers (Ireland) Act, 1883.	The whole Act -	48 & 49 Vict. c. 77. 49 & 50 Vict. c. 59. 54 & 55 Vict. c. 48. 54 & 55 Vict. c. 71. 55 & 56 Vict. c. 7. 59 & 60 Vict. c. 53. 61 & 62 Vict. c. 37. 3 Edw. 7. c. 37. 6 Edw. 7. c. 37. 7 Edw. 7. c. 44. 9 Edw. 7. c. 42. 1 & 2 Geo. 5. c. 19. 4 & 5 Geo. 5. c. 32. 8 & 9 Geo. 5. c. 20.
(19) 51 & 52 Vict. c 55.	The Sand Grouse Protection Act, 1888.	The whole Act.	—
(20) 52 & 53 Vict. c. 40.	The Welsh Intermediate Education Act, 1889.	As to the powers of the joint education committee and the suspension of the powers of the Charity Commissioners.	53 & 54 Vict. c. 60. 2 Edw. 7. c. 42.
(21) 58 & 59 Vict. c. 21.	The Seal Fisheries (North Pacific) Act, 1895.	The whole Act.	—
(22) 59 & 60 Vict. c. 48.	The Light Railways Act, 1896.	As to the powers of the Commissioners.	1 Edw. 7. c. 36. 2 & 3 Geo. 5. c. 19.
(23) 61 & 62 Vict. c. 49.	The Vaccination Act, 1898	The whole Act -	7 Edw. 7. c. 31.
(24) 2 Edw. 7. c. 18.	The Licensing (Ireland) Act, 1902.	The whole Act.	—
(25) 3 Edw. 7. c. 36.	The Motor Car Act, 1903	The whole Act.	—
(26) 4 Edw. 7. c. 24.	The Wireless Telegraphy Act, 1904.	The whole Act.	—
(27) 5 Edw. 7. c. 18.	The Unemployed Workmen Act, 1905.	The whole Act -	9 Edw. 7. c. 7.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(28) 7 Edw. 7. c. 55.	The London Cab and Stage Carriage Act, 1907.	As to the abolition of the privileged cab system, s. 2.	——
(29) 1 & 2 Geo. 5. c. 55.	The National Insurance Act, 1911.	Section forty-two; and so far as it relates to the powers of the Insurance Commissioners to make orders affecting section forty-two, section seventy-eight.	3 & 4 Geo. 5. c. 37. 4 & 5 Geo. 5. c. 57. 4 & 5 Geo. 5. c. 81. 7 & 8 Geo. 5. c. 62.
(30) 2 & 3 Geo. 5. c. 2.	The Coal Mines (Minimum Wage) Act, 1912.	The whole Act.	——
(31) 3 & 4 Geo. 5. c. 26.	The Highlands and Islands (Medical Service) Grant Act, 1913.	As to the powers of the Highlands and Islands (Medical Service) Board, and of His Majesty in Council.	9 & 10 Geo. 5. c. 20.
(32) 4 Geo. 5. c. 3.	The Grey Seals Protection Act, 1914.	The whole Act.	——
(33) 5 & 6 Geo. 5. c. 4.	The Land Drainage Act, 1914.	As to the power of making Provisional Orders.	——
(34) 5 & 6 Geo. 5. c. 48.	The Fishery Harbours Act, 1915.	As to power of making Orders.	——

PART II.

(35) 9 Geo. 5. c. 3.	The Air Navigation Act, 1919.	The whole Act -	——

PART III.

(36) 59 & 60 Vict. c. 16.	The Agricultural Rates Act, 1896.	The whole Act -	2 Edw. 7. c. 42. 7 Edw. 7. c. 13.
(37) 59 & 60 Vict. c. 37.	The Agricultural Rates, Congested Districts, and Burgh Land Tax Relief (Scotland) Act, 1896.	The whole Act -	60 & 61 Vict. c. 53. 7 Edw. 7. c. 13. 1 & 2 Geo. 5. c. 49.

CHAPTER 40.

An Act to enable the rules as to the Civil Employment of Retired Officers to be revoked or modified in so far as they provide for deductions from civil pay.

[15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to modify rules. 50 & 51 Vict. c. 67. 55 & 56 Vict. c. 40.

1.—(1) The Treasury may by order revoke or modify the rules made under section six of the Superannuation Act, 1887, and section two of the Superannuation Act, 1892, in so far as those rules provide for a deduction being made from the civil emoluments of any person who has received or is receiving retired pay or pension in respect of past services as an officer in His Majesty's Forces.

The provisions of any order made hereunder shall take effect as from such date or dates whether before or after the passing of this Act as may be specified in the order.

(2) An order under this section may make such consequential changes in the rules as are rendered necessary by the order, and shall be laid as soon as may be before both Houses of Parliament.

Short title.

2. This Act may be cited as the Retired Officers (Civil Employment) Act, 1919.

CHAPTER 41.

An Act to enable Governing Bodies of Schools and Educational Institutions to comply with the conditions prescribed in the Regulations of the Board of Education for the receipt of grants out of moneys provided by Parliament.

[15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers of governing bodies to comply with conditions as to grants.

1. Any provisions contained in any instrument regulating the trusts or management of a school or educational institution which are inconsistent with the conditions prescribed for the receipt of grants out of moneys provided by Parliament in the regulations of the Board of Education shall, if the governing body of the school or educational institution apply to the Board for a grant under those regulations, cease to operate or operate

subject to such modifications as may be necessary in order to render the instrument consistent with those regulations and as may be made by the governing body, so long as grants are made by the Board under those regulations and during any school year in which the school has been recognised by the Board for the purpose of grants.

Short title.

2. This Act may be cited as the Education (Compliance with Conditions of Grants) Act, 1919, and the Education Acts, 1870 to 1918, and this Act may be cited together as the Education Acts, 1870 to 1919.

CHAPTER 42.

An Act to make provision with respect to the restoration after the present war of certain trade practices, and to amend the law relating to munitions tribunals.

[15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Restoration of pre-war practices.

1.—(1) Where, in any establishment to which this Act applies, any rule, practice or custom obtaining before the war in any industry or branch of an industry (hereinafter referred to as a trade practice) has, during and in consequence of the present war, been departed from, the owner of that establishment shall be under an obligation, at the expiration of two months from the passing of this Act, to restore or permit the restoration of the trade practice so previously obtaining, and for one year after such restoration is effected, or if it has been effected before the date of the passing of this Act for one year after that date, to maintain or permit the continuance of the trade practice.

(2) Where any industry or branch of industry, which before the war was not carried on in an establishment, commenced to be carried on in the establishment during the war and continues to be carried on therein after the termination thereof, or where the establishment is one which commenced to be worked after the beginning of war, the owner of the establishment shall be under the obligation, at the expiration of two months from the passing of this Act, to introduce or permit the introduction of, and for one year after such introduction is effected, or if it has been effected before the date of the passing of this Act for one year after that date, to maintain, or permit the continuance of, such trade practices as obtained before the war in other establishments where that industry or branch was

carried on under circumstances most nearly analogous to those of the establishment in question.

(3) Save as expressly provided by this section, nothing in this section shall prejudice the position of employers or persons employed after the war.

Legal proceedings.

2.—(1) If any person fails to comply with an obligation imposed upon him by this Act, he shall be guilty of an offence under this Act, and on conviction shall be liable to a fine not exceeding twenty-five pounds for each day or part of a day during which the offence continues:

Provided that no person shall be entitled to institute proceedings against an owner of an establishment for failure to comply with any such obligation unless one week at least before instituting the proceedings he has served on the owner notice in the prescribed form of his intention to institute proceedings specifying the nature of the trade practice to which the obligation relates, and, if the change of practice was made in pursuance of an agreement, also specifying the agreement.

(2) Proceedings for offences under this Act shall be taken before munitions tribunals of the second class in like manner as for offences under the Munitions of War Acts, 1915 to 1917.

(3) Proceedings against an employer for an offence under this Act may be instituted by or on behalf of any worker affected or by or on behalf of a trade union or federation of trade unions, and any party to any such proceedings may appear and be represented by an official of the trade union or federation of trade unions, or of the federation or association of employers, to which he belongs.

(4) If an agreement has been entered into providing for the modification of an obligation under this Act, to which the owner of an establishment is a party, or to which any group or association of employers of which the owner is a member is a party, it shall be a good defence in any proceedings against him in respect of an alleged breach of his obligation if he proves that the breach is authorised by the agreement, and that the trade union whose custom it was before the war to maintain the trade practice to be modified is a party to the agreement or is a member of a federation of trade unions who are parties thereto.

(5) Where, in the case of proceedings against the owner of an establishment for failure to comply with an obligation imposed by subsection (2) of section one of this Act, the tribunal is satisfied that a failure to comply with the obligation has occurred, but that it has occurred from a genuine and reasonable doubt as to the nature of the trade practice to which the

obligation relates or otherwise as to the interpretation of the obligation, and not from any refusal or unwillingness to comply therewith, the tribunal may, instead of imposing any penalty, make an order declaring the true interpretation of such obligation in relation to the matter or matters complained of, and such an order shall be binding on the parties to the proceedings, and a copy thereof shall be registered at the Ministry of Labour.

Provisions as to munitions tribunals

3.—(1) Subject to the provisions of this section, the provisions of the Munitions of War Act, 1915 to 1917, relating to munitions tribunals, shall, notwithstanding anything in those Acts limiting the duration thereof, continue in force so long as may be necessary for the purposes of this Act.

(2) The powers of the Minister of Munitions in relation to munitions tribunals shall, as from the passing of this Act, be transferred to the Minister of Labour:

Provided that nothing in this provision shall affect any appointment, choice of assessors, or rules of procedure (including rules as to appeals) made before and in force at the passing of this Act; but anything which under the rules of procedure so in force is to or may be done by or to the Minister of Munitions shall or may be done by or to the Minister of Labour, and those rules shall have effect accordingly.

Establishments to which Act applies.

4.—(1) The establishments to which this Act applies are establishments in which munitions work within the meaning of the Munitions of War Acts, 1915 to 1917, has during the present war been carried on, and any other establishment in which the departure from the practice was made in consequence of the two agreements of the nineteenth and twenty-fifth days of March nineteen hundred and fifteen respectively, commonly known as the Treasury agreements, or in pursuance of any other agreement in writing.

(2) This Act shall apply to Crown establishments, that is to say, establishments belonging to or under the control of His Majesty or any Government department, in like manner as it applies to establishments belonging to subjects, and any proceedings which under this Act can be taken by or against the owner of any establishment may be taken by or against the Crown establishment concerned in the name by which the establishment is usually known.

Regulations by Minister of Labour.

5. The Minister of Labour may make regulations prescribing anything which under this Act is to be prescribed, and as to the registration of orders which under this Act may be registered at the Ministry, the inspection of orders so registered, and generally for carrying this Act into effect.

6.—(1) This Act may be cited as the Restoration of Pre-War Practices Act, 1919. Short title and repeals.

(2) Subsection (3) of section four and paragraphs (1) and (2) of the Second Schedule to the Munitions of War Act, 1915, are hereby repealed. 5 & 6 Geo. 5. c. 54.

. . . . . .

CHAPTER 43.

An Act to authorise the Treasury to guarantee the Payment of Interest on a Loan to be raised by the Government of the Soudan. [15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1.—(1) The Treasury may, subject to the provisions of this Act, guarantee in such manner as they think fit the payment of the interest on any loan raised by the Government of the Soudan for or in connexion with the purposes set out in the Schedule to this Act, not exceeding in the aggregate an amount sufficient to raise six million pounds. Power to Treasury to guarantee loans.

(2) A guarantee shall not be given in pursuance of this Act until the Government of the Soudan have provided to the satisfaction of the Treasury and the Secretary of State—

(*a*) for raising, appropriating, and duly applying the loan for or in connexion with the purposes and in the manner set out in the Schedule to this Act, subject to any arrangements which may be made for the application of savings on one head of expenditure to another head of expenditure :

(*b*) for the establishment and regulation of one or more sinking funds for the purpose of the repayment of the principal of the loan or any instalment thereof within a period not exceeding forty years from the date on which the loan or instalment is actually raised :

(*c*) for charging on the general revenues and assets of the Soudan or on any other revenues or assets which may be made available for the purpose, with priority over any charges not existing at the date of the passing of this Act, the principal and interest of the loan and any sinking fund payments for the repayment of the principal of the loan :

(*d*) for charging on the general revenues and assets of the Soudan immediately after the last-mentioned charge the repayment to the Treasury of any sum issued out of the Consolidated Fund under this Act on account of the guarantee given under this Act with interest thereon at such rate as the Treasury may fix:

(*e*) for raising or securing the raising of sufficient money to meet the above charges.

(3) Any sums required by the Treasury for fulfilling their guarantee given under this Act shall be charged on and issued out of the Consolidated Fund or the growing produce thereof, and any sums paid on account of the repayment of any amount so issued out of the Consolidated Fund shall be paid into the Exchequer.

(4) The Treasury shall lay before both Houses of Parliament a statement of any guarantee given under this Act, and an account of any sums issued out of the Consolidated Fund for the purpose of any such guarantee as soon as may be after any guarantee is so given or any sum is so issued.

Short title and repeal.

2.—(1) This Act may be cited as the Government of the Soudan Loan Act, 1919.

(2) The Government of the Soudan Loan Acts, 1913 and 1914, are hereby repealed.

Section 1.

SCHEDULE.

PURPOSES OF LOAN.

	£
1. Works for the purpose of irrigating the Gezireh plain, including the repayment of any temporary loan raised for those works under the Government of the Soudan Loan Acts, 1913 and 1914 - - -	4,900,000
2. Extension of the Soudan railway system - - -	700,000
3. Tokar irrigation and railway extension - - -	400,000
Total - - -	6,000,000

CHAPTER 44.

An Act to make provision with respect to Obligations incurred by or on behalf of His Majesty's Government for the purpose of the present War or in connection therewith. [15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of s. 1 of the Government War Obligations Act, 1914, 5 Geo. 5. c. 11. 8 & 9 Geo. 5. c. 28.

1.—(1) Section one of the Government War Obligations Act, 1914, which, as extended by subsequent enactments, relates to the provision of money for the fulfilment of Government war obligations incurred before the passing of the Government War Obligations Act, 1918, shall be further extended so as to include the provision in the like manner of money for the fulfilment of any Government war obligations incurred before the passing of this Act.

(2) The schedule to the Government War Obligations Act, 1914 (which, as extended by subsequent Government War Obligations Acts, sets out the Government war obligations), shall be further extended so as to include obligations incurred in respect of the prospecting for and working of petroliferous deposits in the United Kingdom, or under any agreement entered into in connection therewith.

(3) Any obligation incurred in respect of the maintenance or assistance of flax production, or in respect of any guarantee given in connection therewith, is hereby declared to be an obligation undertaken in connection with the present war.

Short title and citation.

2. This Act may be cited as the Government War Obligations Act, 1919, and the Government War Obligations Acts, 1914 to 1918, and this Act may be cited together as the Government War Obligations Acts, 1914 to 1919.

CHAPTER 45.

An Act to amend the enactments relating to the Housing of the Working Classes and the acquisition of Small Dwellings in Ireland. [15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

HOUSING OF THE WORKING CLASSES.

Housing Scheme.

Application of Part III. of the Act of 1890 without adoption, and duty of local authority to prepare schemes thereunder. 53 & 54 Vict. c. 70.

1.—(1) Part III. of the Housing of the Working Classes Act, 1890 (in this Act referred to as the Act of 1890), shall, after the commencement of this Act, extend to, and take effect in, every urban district or town in Ireland for which it has not been adopted as if it had been so adopted, and it shall be the duty of the local authority of every urban district or town for the purposes of Part III. of the Act of 1890 to consider the needs of the district or town with respect to the provision of houses for the working classes, and within three months after the passing of this Act, and thereafter as often as occasion arises, to prepare and submit to the Local Government Board a scheme for the exercise of their powers under the said Part III.

(2) A scheme under this section shall specify—

(*a*) the approximate number and the nature of the houses to be provided by the local authority;

(*b*) the approximate quantity of land to be acquired and the localities in which land is to be acquired;

(*c*) the average number of houses per acre;

(*d*) the time within which the scheme or any part thereof is to be carried into effect;

and the scheme may contain such incidental, consequential, and supplemental provisions (including provisions as to the subsequent variation of the scheme) as may appear necessary or proper for the purpose of the scheme or for giving effect to any of the provisions of this Part of this Act.

(3) The Local Government Board may approve any such scheme or any part thereof without modification or subject to such modifications as they may think fit, and the scheme or part thereof when so approved shall be binding on the local authority; but if the Board consider the scheme inadequate they may refuse to approve the scheme and require the authority to prepare and submit to them an adequate scheme within such time as they may fix, or they may approve the scheme or part thereof subject to the condition that the authority prepare and submit to them a further scheme within such time as they may fix.

(4) If the Local Government Board consider as respects any local authority that an occasion for the preparation of a new scheme has arisen, they shall give notice to that effect to the local authority, and thereupon such an occasion shall be deemed to have arisen.

(5) Where the local authorities concerned or the Local Government Board are of opinion that a scheme should be made affecting the areas of two or more local authorities, such a scheme shall be prepared by the local authorities jointly and

may provide for joint action being taken by those local authorities and for the apportionment amongst the authorities of any expenses incurred in carrying the scheme into effect.

(6) Local authorities in preparing, and the Local Government Board in approving, schemes shall have regard to any proposals by other bodies and persons to provide housing accommodation.

(7) Where any proposals as to the provision of houses for the working classes have before the passing of this Act been submitted to the Local Government Board by a local authority and those proposals have been approved by the Board, either before or after the passing of this Act, the proposals may, if the Board so direct, be treated, for any of the purposes of this Act, as if they were a scheme submitted and approved under this section.

Duty of local authority to carry out schemes.

2. It shall be the duty of a local authority on which obligations are imposed by any such scheme to carry that scheme into effect within such time as may be specified in the scheme, or within such further time as may be allowed by the Local Government Board.

Power of Local Government Board to act in place of the local authority.

3.—(1) Where the Local Government Board are satisfied that a local authority, or, in cases where a joint scheme has been or in the opinion of the Board should be prepared, the local authorities concerned have failed to fulfil their obligations as to the preparation of schemes under this Act or their obligations under any such schemes, the Board may, after considering the circumstances of the case, and after giving the local authority or authorities an opportunity of being heard, themselves prepare and carry out a scheme or take such steps as may be necessary to carry out any scheme prepared by the local authority or by two or more local authorities jointly, and shall for that purpose have all the powers of a local authority under the Housing Acts, and those Acts shall, with the necessary modifications and adaptations, apply accordingly.

(2) Any expenses incurred by the Board in the exercise of such powers as aforesaid shall in the first instance be paid out of moneys provided by Parliament, but the amount certified by the Board to have been so expended, and to be properly payable by a local authority, shall on demand be paid to the Board by the local authority and shall be recoverable as a debt due to the Crown, and the payment of the sum so payable to the Board shall be a purpose for which the local authority may borrow under the Act of 1890.

Power to act in default of local authority under Parts I. and II. of Act of 1890.

4. Without prejudice to any other powers for enforcing the provisions of the Housing Acts, where the Local Government Board are satisfied that any area within the district of a local authority is an area in respect of which the local authority ought to exercise their powers under Part I. or Part II. of the Act of 1890, the Board may by order require the local authority

to make a scheme for the improvement of such area, either under Part I. or under Part II. of that Act, and to do all things necessary under the Housing Acts for carrying into execution the scheme so made, and, if the local authority fail within such time as may be prescribed by the order to make a scheme to the satisfaction of the Local Government Board and to carry the scheme into execution, the Board may themselves make and take such steps as may be necessary to carry out a scheme, and the provisions of the last preceding section of this Act shall apply.

Financial Provisions.

Power to recoup losses.

5.—(1) If it appears to the Local Government Board that the carrying out by a local authority of any scheme approved under section one of this Act or the carrying out of a rehousing scheme in connexion with a scheme made under Part I. or Part II. of the Act of 1890, including the acquisition, clearance, and development of land comprised in the last-mentioned scheme, and whether the rehousing will be effected on the area comprised in that scheme or elsewhere, has resulted or is likely to result in a loss, the Board shall, if the scheme is carried out within such period after the passing of this Act, as may be specified by the Board, with the consent of the Treasury, pay, or undertake to pay, to the local authority out of moneys provided by Parliament such part of the loss as may be determined to be so payable under regulations made by the Board, with the approval of the Treasury, subject to such conditions as may be prescribed by those regulations.

(2) Where a loan is made by the Commissioners of Public Works in Ireland for the purpose of a scheme towards the losses on which the Local Government Board is liable to contribute under this section, the loan shall, notwithstanding anything in section fourteen of the Housing of the Working Classes (Ireland) Act, 1908 (in this Act referred to as the Act of 1908), be made on such terms and conditions as the Treasury may prescribe, and the sums liable to be paid or set apart by any local authority in respect of moneys borrowed by that authority for the purposes of any such scheme shall not be included in the annual housing charge of that authority within the meaning of section five of the Act of 1908.

8 Edw. 7. c. 61.

(3) This section shall be deemed to have had effect as from the first day of April nineteen hundred and nineteen.

Provision as to the Acquisition of Land, &c.

Provisions as to assessment of compensation.

6.—(1) Where land included in any scheme made or to be made under Part I. or Part II. of the Act of 1890 (other than land included in such a scheme only for the purpose of making the scheme efficient and not on account of the sanitary condition of the premises thereon or of those premises being dangerous or prejudicial to health) is acquired compulsorily, the compensa-

tion to be paid for the land, including any buildings thereon, shall be the value at the time the valuation is made of the land as a site cleared of buildings and available for development in accordance with the requirements of the building byelaws for the time being in force in the district:

Provided that, if in the opinion of the Local Government Board it is necessary that provision should be made by the scheme for the rehousing of persons of the working classes on the land or part thereof when cleared, or that the land or a part thereof when cleared shall be laid out as an open space, the compensation payable to all persons interested in any land included in the scheme (other than as aforesaid) for their respective interests therein shall be reduced by an amount ascertained in accordance with the rules set forth in the First Schedule to this Act.

(2) The provisions of sections twenty-one and forty-one of the Act of 1890 shall cease to apply as respects lands to which the provisions of this section apply, in so far as such first-mentioned provisions are inconsistent or in conflict with the provisions of this section.

Power of entry on land compulsorily acquired.

7. Where an order authorising the acquisition of land by a local authority for the purposes of Part III. of the Act of 1890 has been made and confirmed under the provisions of section six of the Act of 1908, then at any time after the notice of the appointment of the arbitrator has been published the local authority may, on giving not less than fourteen days' notice to the owner and occupier of the land, enter on and take possession of the land or such part thereof as is specified in the notice without previous consent or compliance with sections eighty-four to ninety of the Lands Clauses (Consolidation) Act, 1845, or any similar enactment, but subject to the payment of the like compensation for the land of which possession is taken and interest on the compensation awarded as would have been payable if those enactments had been complied with.

8 & 9 Vict. c. 18.

Additional powers as to acquisition of land and houses.

8.—(1) The powers of a local authority to acquire land for the purposes of Part III. of the Act of 1890 shall be deemed to include power—

(*a*) to acquire any houses or other buildings on the land proposed to be acquired as a site for the erection of houses for the working classes; and

(*b*) to acquire any estate or interest in any houses which might be made suitable as houses for the working classes, together with any lands occupied with such houses;

and the local authority shall have power to alter, enlarge, repair, and improve any such houses or buildings so as to render them in all respects fit for habitation as houses for the working classes.

(2) The purposes for which land may be acquired under Part III. of the Act of 1890 shall be deemed to include—

(i) the lease or sale of the land, under the powers conferred by this Act, with a view to the erection thereon of houses for the working classes by persons other than the local authority; and

(ii) the lease or sale under the powers conferred by this Act of any part of the land acquired with a view to the use thereof for purposes which in the opinion of the local authority are necessary or desirable for or incidental to the development of the land as a building estate, including the provision, maintenance, and improvement of houses and gardens and other works or buildings for, or for the convenience of, persons belonging to the working classes and other persons.

(3) Subject to the consent of the Local Government Board and to such conditions as the Board may prescribe, a local authority may for the purposes of Part III. of the Act of 1890 contract for the purchase by or lease to them of houses suitable for the working classes, whether built at the date of the contract or intended to be built thereafter.

Saving of home-farms, parks, &c.

9. No land which is or forms part of a home-farm, park, garden or pleasure ground or is otherwise required for the amenity or convenience of any dwelling-house shall be included in any petition for an order authorising the compulsory acquisition of land for the purpose of Part III. of the Act of 1890, if suitable sites can be obtained on other land.

Power to acquire in advance lands in areas proposed for inclusion in improvement schemes under Parts I. and II. of Act of 1890.

10. Where a local authority have, under section four of the Act of 1890, passed a resolution that an area is an unhealthy area and that an improvement scheme ought to be made in respect of such area, or have under section thirty-nine of the Act of 1890 passed a resolution directing a scheme to be prepared for the improvement of an area, the local authority may, with the consent of and subject to any conditions imposed by the Local Government Board, acquire by agreement any lands included within the area, notwithstanding that the scheme may not at the time of acquisition have been made by the local authority or confirmed or sanctioned by the Local Government Board; and the acquisition of such lands shall be deemed to be a purpose for which the local authority may borrow money under and subject to the provisions of Part I. or, as the case may be, Part II. of the Act of 1890.

Powers of dealing with land acquired.

11.—(1) Where a local authority have acquired or appropriated any land for the purposes of Part III. of the Act of 1890, then, without prejudice to any of their other powers under that Act, the authority may—

(*a*) lay out and construct public streets or roads and open spaces on the land;

(*b*) with the consent of the Local Government Board, sell or lease the land or part thereof to any person for the purpose and under the condition that that person will erect and maintain thereon such number of houses suitable for the working classes as may be fixed by the local authority in accordance with plans approved by them and, when necessary, will lay out and construct public streets or roads and open spaces on the land or will use the land for purposes which, in the opinion of the local authority, are necessary or desirable for or incidental to the development of the land as a building estate in accordance with plans approved by the local authority, including the provision, maintenance, and improvement of houses and gardens and other works or buildings for or for the convenience of persons belonging to the working classes and other persons;

(*c*) with the consent of the Local Government Board, sell the land or exchange it for land better adapted for those purposes, either with or without paying or receiving any money for equality of exchange;

(*d*) with the consent of the Local Government Board, sell or lease any houses on the land or erected by them on the land, subject to such covenants and conditions as they may think fit to impose either in regard to the maintenance of the houses as houses for the working classes or otherwise in regard to the use of the houses, and upon any such sale they may, if they think fit, agree to the price being paid by instalments or to the payment of part thereof being secured by a mortgage of the premises:

Provided that it shall be a condition of such sale or lease that the houses shall not be used by any person for the time being having any interest therein for the purpose of housing persons in his employment.

(2) Where a local authority under this section sell or lease land, subject to any condition as to the erection thereon of houses, or the laying out and construction of streets, or the development of the land, there shall be included in the conveyance or lease all such covenants and conditions as may be necessary to secure compliance with the conditions aforesaid within a reasonable period, and to limit the amount of the rent which may be charged in respect of the lands or any part thereof, or in respect of the houses erected thereon, and the local authority may contribute, or agree to contribute, towards the expenses of the development of the land and the laying out and construction of streets thereon, subject to the condition that the streets are dedicated to the public.

(3) Land and houses sold or leased under the provisions of this section shall be sold or leased at the best price or

for the best rent that can reasonably be obtained, having regard to any condition imposed, and any capital money received in respect of any transaction under this section shall be applied in or towards the purchase of other land for the purposes of Part III. of the Act of 1890, or, with the consent of the Local Government Board, to any purpose, including the repayment of borrowed money, to which capital money may be properly applied.

Payment of compensation into the county court. 1 & 2 Geo. 5. c. 19.

12. Section six of the Labourers (Ireland) Act, 1911, which relates to the payment of compensation in respect of land into the county court instead of into the High Court, and to the making of county court rules, shall apply in the case of land acquired by a local authority under the Housing Acts in like manner as in the case of land acquired by a district council under the Labourers Acts.

Occupation of house erected by local authority not to disqualify for election to local authority.

13. For removing doubts, it is hereby enacted that a person shall not by reason only of the fact that he occupies a house at a rental from a local authority within the meaning of Part III. of the Act of 1890 be disqualified from being elected or being a member of the local authority or of any committee of the local authority.

Provision of Houses by Public Utility Societies and Housing Trusts.

Powers of promoting and assisting public utility societies.

14.—(1) A local authority within the meaning of Part III. of the Act of 1890 may promote the formation or extension of, or, subject to the provisions of this section, assist a public utility society, whose objects include the erection, improvement, or management of houses for the working classes.

(2) Any such local authority, with the consent of, and subject to any regulations or conditions which may be made or imposed by the Local Government Board may, for the assistance of such a society—

(*a*) make grants or loans to the society;

(*b*) subscribe for any share or loan capital of the society;

(*c*) guarantee or join in guaranteeing the payment of interest on money borrowed by the society or of any share or loan capital issued by the society;

on such terms and conditions as to rate of interest and repayment or otherwise and on such security as the local authority think fit, and, notwithstanding the provisions of section four of the Industrial and Provident Societies Act, 1893, where a local authority assists such a society under this subsection, the local authority shall not be prevented from having or claiming an interest in the shares of the society exceeding two hundred pounds.

56 & 57 Vict. c. 39.

(3) Any expenses incurred by a local authority under the provisions of this section shall be defrayed in the same manner as the expenses of the local authority under Part III. of the Act

of 1890, and the raising of money for the purpose of making grants or loans to or subscribing for the capital of a society under this section shall be a purpose for which the authority may borrow under that Part of that Act.

Power of contributing to costs incurred by public utility societies and housing trusts.

15.—(1) Where a public utility society or a housing trust, as defined by this Act, has submitted to the Local Government Board a scheme for the provision of houses for the working classes and the scheme is approved by the Board, then, if the scheme is carried out within such period after the passing of this Act as may be specified by the Board, with the consent of the Treasury, the Board may pay or undertake to pay out of moneys provided by Parliament such contributions towards the cost of carrying out the scheme as may be determined to be payable under regulations made by the Board, with the approval of the Treasury, subject to such conditions (including conditions as to audit of accounts by auditors of poor law unions) as may be prescribed by those regulations.

(2) Such regulations shall provide that the amount of any annual payment to be made under this section shall be equivalent to thirty per cent. of the annual loan charges which would have been payable in accordance with the regulations on the total capital expenditure incurred by the public utility society or housing trust for the purposes of the scheme if the amount of that expenditure had been borrowed from the Commissioners of Public Works in Ireland:

Provided that the regulations shall include provision for the reduction of the amount of the annual payment in the event of the Local Government Board being satisfied that the capital expenditure incurred by the public utility society or housing trust has been excessive.

Every regulation so made shall be laid before both Houses of Parliament as soon as may be after it is made, and, if an Address is presented by either House within twenty-one days on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, but without prejudice to the validity of anything previously done thereunder.

Loans to public utility societies.

16.—(1) The purposes, referred to in subsection (1) of section sixty-seven of the Act of 1890, for which the Commissioners of Public Works in Ireland acting with the consent of the Treasury may advance money on loan, shall extend to the purchase of houses which may be made suitable as houses for the working classes and to the purchase and development of land by a public utility society.

38 & 39 Vict. c. 89.

(2) Notwithstanding anything contained in the Public Works Loans Act, 1875, or any Act amending that Act, where a loan is made by the said Commissioners under section sixty-seven of the Act of 1890 to a public utility society for the purpose of carrying out a scheme for the provision of houses

for the working classes approved by the Local Government Board:—

(*a*) The maximum period for the repayment of the loan shall be fifty instead of forty years:

(*b*) Money may be lent on the mortgage of an estate for a term of years absolute whereof a period not less than ten years in excess of the period fixed for the repayment of the sums advanced remains unexpired at the date of the loan:

(*c*) In the case of loans made during such period after the passing of this Act as may be specified by the Board, with the consent of the Treasury, the money advanced on the security of a mortgage of any land or dwellings solely shall not exceed seventy-five per cent. of the purchase price of the land and of the cost of its development and of the houses proposed to be mortgaged as certified by the Local Government Board; but advances may be made by instalments in respect of the purchase money of the land to be acquired, and the cost of its development, and in respect of the building of any house or houses on the land mortgaged as such building progresses, so that the total of the advances do not at any time exceed the amount aforesaid; and a mortgage may accordingly be made to secure advances so to be made from time to time.

Loans to private persons.

17. During a period of two years from the passing of this Act, the money which may be advanced by the Commissioners of Public Works in Ireland to any private person for the purpose of constructing houses for the working classes on the security of a mortgage of any land or dwellings solely may, if the Commissioners think fit, and if the houses are constructed in accordance with plans approved by the Local Government Board, exceed the amount specified in subsection (2) of section sixty-seven of the Act of 1890, but shall not exceed seventy-five per cent. of the value of the estate or interest in such land or dwellings proposed to be mortgaged, and advances may be made by instalments from time to time as the building of the houses on the land mortgaged progresses, so that the total of the advances do not at any time exceed the amount last mentioned, and a mortgage may accordingly be made to secure advances so to be made from time to time.

Loans by local authorities for the improvement of housing accommodation.

18.—(1) Where the owner of a house or building applies to the local authority, within the meaning of Part III. of the Act of 1890, of the district in which the house is situated for assistance for the purpose of carrying out works for the reconstruction, enlargement, or improvement thereof, and the local authority are of opinion that after the works are carried out the house or building would be in all respects fit for habitation as a house or as houses for the working classes, and that the circumstances of the district in regard to housing accommodation

are such as to make it desirable that the works should be carried out, the local authority may, with the consent of the Local Government Board, lend to the owner the whole or any part of such sum as may be necessary to defray the cost of the works, and any costs, charges, or expenses incidental thereto:

Provided that the loan shall not exceed one-half of the estimated value of the property mortgaged, unless some additional or collateral security is given sufficient to secure the excess.

(2) Before the works are commenced, full particulars of the works and, where required by the local authority, plans and specifications thereof shall be submitted to the local authority for their approval, and before any loan is made the authority shall satisfy themselves that the works in respect of which the loan is to be made have been carried out in a satisfactory and efficient manner.

(3) The raising of money for the purpose of making a loan under this section shall be a purpose for which the local authority may borrow for the purposes of Part III. of the Act of 1890.

(4) For the purpose of this section, "owner" means any person whose interest, or any number of persons whose combined interests, constitute either an estate in fee simple (including fee farm) in possession or a leasehold interest in possession for a term of years absolute whereof a period of not less than ten years in excess of the period fixed for the repayment of the loan remains unexpired at the date of the loan.

Byelaws.

Relaxation of byelaws.

19.—(1) Where in pursuance of a housing scheme to which this section applies new buildings are constructed, or public streets and roads are laid out and constructed in accordance with plans approved by the Local Government Board, the provisions of any building byelaws shall not apply to the new buildings and new streets constructed and laid out in pursuance of the scheme so far as those provisions are inconsistent with the plans and specifications approved by the Local Government Board, and, notwithstanding the provisions of any other Act, any street laid out and constructed in accordance with such plans and specifications may be taken over and thereafter maintained by the local authority.

(2) Where the Local Government Board have approved plans and specifications which in certain respects are inconsistent with the provisions of any building byelaws in force in the district in which the works are to be executed, any proposals for the erection therein of houses and the laying out and construction of new streets which do not form part of a housing scheme to which this section applies, may, notwithstanding those provisions, be carried out if the local authority, or, on appeal, the Local Government Board are satisfied that they will involve departures from such provisions only to the like

extent as in the case of the plans and specifications so approved, and that, where such plans and specifications have been approved subject to any conditions, the like conditions will be complied with in the case of proposals to which this subsection applies.

(3) The housing schemes to which this section applies are schemes made by a local authority, under the Housing Acts, or by a public utility society, or housing trust, and approved by the Local Government Board, and schemes carried out by that Board under this Act.

Byelaws respecting lodging-houses and houses divided into separate tenements. 41 & 42 Vict. c. 52.

20.—(1) The local authority of every urban district or town for the purposes of Part III. of the Act of 1890 shall, without any declaration by the Local Government Board, have power to make and enforce byelaws for the matters specified in section one hundred of the Public Health (Ireland) Act, 1878, and that power shall, in the case of houses intended or used for occupation by the working classes, be deemed to include the making and enforcing of byelaws- -

(*a*) for fixing, and from time to time varying, the number of persons who may occupy a house, or part of a house, which is let in lodgings or occupied by members of more than one family, and for separation of the sexes therein ;

(*b*) for the registration and inspection of such houses ;

(*c*) for enforcing drainage and promoting cleanliness and ventilation of such houses ;

(*d*) for requiring provision adequate for the use of, and readily accessible to, each family of—

(i) closet accommodation ;

(ii) water supply and washing accommodation ;

(iii) accommodation for the storage, preparation, and cooking of food ;

and, where necessary, for securing separate accommodation as aforesaid for every part of such house which is occupied as a separate dwelling ;

(*e*) for the keeping in repair and adequate lighting of any common staircase in such house ;

(*f*) for securing stability and the prevention of and safety from fire ;

(*g*) for the cleansing and redecoration of the premises at stated times, and for the paving of the courts and courtyards ;

(*h*) for the provision of handrails, where necessary, for all staircases of such houses ;

(*i*) for securing the adequate lighting of every room in such houses ;

and any such byelaws, in addition to any other penalty, may prohibit the letting for occupation by members of more than one family of any such house unless the same are complied with, subject in the case of houses so let or occupied at the time when such byelaws come into force to the allowance of a

reasonable time for the execution of any works necessary to comply therewith.

(2) Such byelaws may impose the duty of executing any work required to comply therewith upon the owner within the meaning of the Public Health (Ireland) Act, 1878, of any such house, or upon any other person having an interest in the premises, and may prescribe the circumstances and conditions in and subject to which any such duty is to be discharged.

(3) For the purpose of discharging any duty so imposed, the owner or other person may at all reasonable times enter upon any part of the premises, and section fifty-one of the Act of 1890 shall apply as if for the reference to the provisions of Part II. of that Act there were substituted a reference to the provisions of such byelaws, and as if the person on whom such duty is imposed were the owner, and any inmate of the premises were the occupier of a dwelling-house.

(4) Where an owner or other person has failed to execute any work which he has been required to execute under the byelaws, the local authority by whom such byelaws are enforced may, after giving to him not less than twenty-one days' notice in writing, themselves execute the works and recover the costs and expenses incurred by them in so doing from the owner or other person as a civil debt in manner provided by the Summary Jurisdiction Acts, or, if they think fit, the local authority may, by order, declare any such expenses to be payable by annual instalments within a period not exceeding that of the interest of the owner or other person in the premises, nor in any case five years, with interest at a rate not exceeding five per centum per annum, until the whole amount is paid, and any such instalment or interest or any part thereof may be recovered from the owner or other person as a civil debt in manner provided by the Summary Jurisdiction Acts.

Any notice required to be given to an owner or other person under this subsection may be served in the like manner as a notice required to be served on an owner under Part II. of the Act of 1890, and section forty-nine of that Act shall apply accordingly as if for the reference to Part II. of that Act there were substituted a reference to this subsection and as if any reference to an owner of a dwelling-house included a reference to such other person.

(5) If in the opinion of the Local Government Board premises are being occupied by members of more than one family, or are intended to be converted for such occupation, in any urban district or town, and either no byelaws have been made by the local authority under this section, or the byelaws made are not sufficient properly to regulate such occupation or conversion, the Local Government Board may themselves make byelaws under this section which shall have effect and shall be enforced as if they had been made by the local authority.

(6) Where the person on whom obligations are imposed by any byelaws made for the purposes specified in subsection (1) of this section with respect to houses so occupied as aforesaid holds the premises under a lease or agreement and satisfies the local authority that compliance with such byelaws is contrary to the provisions of the lease or agreement, or that the whole or any part of the expenses of carrying out the obligations ought to be borne by his lessor or other superior landlord, the local authority may make application to the county court and the county court may, after giving the lessor or any such superior landlord an opportunity of being heard—

(*a*) in the first case, order that the provisions of the lease or agreement be relaxed so far as they are inconsistent with the requirements of the byelaws;

(*b*) in the second case, grant to the person who carries out the works necessary for compliance with the byelaws, on proof to the satisfaction of the local authority that the works have been properly carried out, a charging order charging on the premises an annuity to repay the expenses properly incurred in carrying out the works or such part of those expenses as the county court consider ought to be so charged.

(7) The annuity shall be of such amount and extend over such number of years as the county court may determine.

(8) Subsection (3) of section thirty-six, section thirty-seven except subsection (4), and paragraph (9) of section ninety-eight of the Act of 1890 shall apply to charging orders and annuities under this section in like manner as to annuities and charging orders under the said section thirty-six.

(9) Where a local authority have themselves acquired a leasehold interest in any house under the powers conferred upon them by this Act, the Local Government Board, on the application of the local authority, may make a similar order with regard to the relaxation of the provisions of the lease and to charging an annuity on the premises as might, had the lessee not been the local authority, have been made on the application of the local authority by the county court, and in that case the decision of the Local Government Board as to the amount and duration of any such annuity shall be final.

Consent of local authority to erection and use of buildings.

21.—(1) Notwithstanding the provisions of any building byelaws a local authority may, during a period of three years from the passing of this Act, consent to the erection and use for human habitation of any buildings erected, or proposed to be erected, in accordance with any regulations made by the Local Government Board.

(2) The local authority may attach to their consent any conditions which they may deem proper with regard to the situation, sanitary arrangements, and protection against fire of such buildings, and may fix, and from time to time extend, the period

during which such buildings shall be allowed to be used for human habitation.

(3) If any person feels aggrieved by the neglect or refusal of the local authority to give consent or by the conditions on which such consent is given, or as to the period allowed for the use of such buildings for human habitation, he may appeal to the Local Government Board, whose decision shall be final, and shall have effect as if it were the decision of the local authority: Provided that the Board may, before considering any such appeal, require the appellant to deposit such sum, not exceeding ten pounds, to cover the cost of appeal as may be fixed by rules to be made by them.

(4) Section twenty-seven of the Public Health Acts Amendment Act, 1907, shall not apply to any buildings to which this section applies. 7 Edw. 7. c. 53.

Miscellaneous.

Power to authorise conversion of a house into several tenements.

22. Where it is proved to the satisfaction of the county court on an application in accordance with rules of court by the local authority or any person interested in a house that, owing to changes in the character of the neighbourhood in which such house is situate, the house cannot readily be let as a single tenement but could readily be let for occupation if converted into two or more tenements, and that, by reason of the provisions of the lease or of any restrictive covenant affecting the house or otherwise, such conversion is prohibited or restricted, the court, after giving any person interested an opportunity of being heard, may vary the terms of the lease or other instrument imposing the prohibition or restriction so as to enable the house to be so converted subject to such conditions and upon such terms as the court may think just.

Repair of houses.

23.—(1) If the owner of any house suitable for occupation by persons of the working classes fails to make and keep such house in all respects reasonably fit for human habitation, then, without prejudice to any other powers, the local authority may serve a notice upon the owner of such house requiring him within a reasonable time, not being less than twenty-one days specified in the notice, to execute such works as may be necessary to make the house in all respects reasonably fit for human habitation: Provided that the owner may, within twenty-one days after the receipt of such notice, by written notice to the local authority, declare his intention of closing the house for human habitation, and thereupon a closing order shall be deemed to have become operative in respect of such house.

(2) If the notice given by the local authority is not complied with, and if the owner has not given such notice as aforesaid, the authority may, at the expiration of the time specified in the notice given by them to the owner, do the work required to be done.

(3) Any expenses incurred by the local authority under this section may be recovered in a court of summary jurisdiction, together with interest at a rate not exceeding five per cent. per annum from the date of service of a demand for the same till payment thereof from the owner, and until recovery of such expenses and interest the same shall be a charge on the premises. In all summary proceedings by the local authority for the recovery of any such expenses, the time within which such proceedings may be taken shall be reckoned from the date of the service of notice of demand.

(4) The local authority may by order declare any such expenses to be payable by monthly or annual instalments within a period not exceeding thirty years, with interest at a rate not exceeding five per cent. per annum, from the date of the service of notice of demand until the whole amount is paid, and any such instalments and interest or any part thereof may be recovered in a summary manner from the owner or occupier and, if recovered from the occupier, may be deducted by him from the rent of such premises.

(5) The local authority, if they think fit, from time to time (in addition and without prejudice to any other remedy) may recover in a court of summary jurisdiction, or as a simple contract debt, by action in any court of competent jurisdiction, from the owner for the time being of any such premises the whole or any portion of such expenses and interest.

(6) Any question arising between the owner and the local authority as to the reasonable nature of any notice given by the authority to the owner under this section shall be determined by the Local Government Board whose decision shall be final.

(7) In this section "owner" shall have the same meaning as in the Public Health (Ireland) Act, 1878.

(8) This section shall be deemed to be part of Part II. of the Act of 1890.

Sale of building materials by Government Departments.

24. Subject to any conditions prescribed by the Local Government Board with the consent of the Treasury, any bricks or other building materials which have been acquired by a Government Department for the purposes of the erection or improvement of houses for the working classes, may, during a period of five years from the passing of this Act, be sold to any person who undertakes to use the same forthwith for the purpose of erecting or improving houses for the working classes, and to comply with the said conditions at a price sufficient to cover the cost of replacement at the time of the sale of the materials so sold.

Power to authorise superior landlord to enter and execute works.

25.—(1) Where it is proved to the satisfaction of the court on an application in accordance with rules of court by any person entitled to any interest in any land used in whole or in part as a site for houses for the working classes that the premises on the land are, or are likely to become, dangerous, or injurious

to health, or unfit for human habitation, and that the interests of the applicant are thereby prejudiced, or that the applicant should be entrusted with the carrying out of a scheme of reconstruction or improvement approved by the local authority of the district in which the land is situate, the court may make an order empowering the applicant forthwith to enter on the land and within the time fixed by the order to execute such works as may be necessary, and may order that any lease or agreement for a lease held from the applicant and any derivative underlease shall be determined subject to such conditions and to the payment of such compensation as the court may think just.

(2) The court shall include in its order provisions to secure that the proposed works are carried out, and may authorise the local authority in whose area the land is situated or which has approved a scheme of reconstruction or improvement under this section, to exercise such supervision or take such action as may be necessary for the purpose.

(3) For the purposes of this section, "court" means the High Court, and, where the annual value of the land does not exceed thirty pounds, the county court.

Extension of powers under Settled Land Act, 1882.

26. The powers conferred upon a tenant for life by the Settled Land Acts, 1882 to 1890, shall include the following further powers :—

(*a*) A power to make a grant in fee simple or absolutely or a lease for any term of years for a nominal price or rent or for less than the best price or rent which could be obtained for the purpose of the erection thereon of dwellings for the working classes or the provision of gardens to be held in connection therewith :

Provided that no more than two acres shall be granted as a site for such dwellings or gardens in any one parish in an urban district, or in any one townland in a rural district, without payment of the full price or rent for the excess, except under an order of the court :

(*b*) A power, where money is required for the provision of dwellings available for the working classes, to raise the money on mortgage of the settled land, or of any part thereof, by conveyance of the fee simple or other the estate subject to the settlement or by creation of a term of years in the settled land or any part thereof or otherwise, and the money so raised shall be capital money for that purpose, and may be paid or applied accordingly.

Provisions of Housing Acts not to be affected

27. Nothing in the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915, or in the enactments amending

by the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915. 5 & 6 Geo. 5. c. 97.

that Act shall prevent a local authority from obtaining possession of any house the possession of which is required by them for the purpose of exercising their powers under the Housing Acts or under any scheme made under those Acts.

Recovery of possession of premises let by a local authority. 14 & 15 Vict. c. 92.

28. On the termination of the tenancy of any premises let by a local authority under the Housing Acts, possession of the premises may (without prejudice to any other method of recovery) be recovered by the local authority in a summary manner under section fifteen of the Summary Jurisdiction (Ireland) Act, 1851, wherever the premises may be situated and whatever may be the rent or term of the tenancy.

Advertisements and notices.

29. For the purposes of any proceedings to which section six of the Act of 1908 applies, one publication of the advertisements mentioned in section two hundred and three of the Public Health (Ireland) Act, 1878, or section seven of the Act of 1890, as the case may be, shall be sufficient and the notices mentioned in those sections, respectively, may be served at any time after the publication of the advertisements.

Extension of certain English housing enactments to Ireland.

30.—(1) There shall apply to Ireland so much as the Lord Lieutenant by Order in Council declares applicable of the enactments specified in the Second Schedule to this Act (being enactments relating to the housing of the working classes in England), subject to such adaptations as may be made by the Order for the purpose of carrying into full effect the application of the enactments to Ireland.

(2) Every Order in Council made under this section shall be published in the "Dublin Gazette" and shall be deemed to have been duly made and to be within the powers conferred by this Act, and no objection to the validity thereof shall be taken in any proceedings.

Procedure and minor amendments of Housing Acts.

31. The amendments specified in the second column of the Third Schedule to this Act (which relate to procedure under Part I. and Part II. of the Act of 1890 and to minor details) shall be made in the provisions of the Act of 1890 specified in the first column of that schedule.

Rules of the Local Government Board.

32. The Local Government Board may make rules for carrying the Housing Acts into effect and in particular for prescribing the duties, conditions of employment, and qualifications of officers and other persons employed by local authorities in the execution of those Acts: Provided that any rules with respect to the qualifications or conditions of employment of architects to be so employed shall be made after consultation with the President of the Royal Institute of the Architects of Ireland.

Construction.

33. This Part of this Act shall be construed as one with the Housing of the Working Classes (Ireland) Acts, 1890 to

1908, and any provisions of this Part of this Act which supersede or amend any provisions of the Act of 1890 shall be deemed to be part of that Part of the Act of 1890 in which the provisions superseded or amended are contained, and references in this Part of this Act to any provision of the Housing of the Working Classes (Ireland) Acts, 1890 to 1908, shall be construed as references to that provision as amended by any subsequent enactment including this Part of this Act.

In this Part of this Act—

The expression "houses for the working classes" has the same meaning as the expression "lodging-houses for the working classes" has in the Act of 1890;

The expression "sale" includes sale in consideration of an annual rentcharge or fee farm rent, and the expression "sell" has a corresponding meaning;

The expression "public utility society" means a society registered under the Industrial and Provident Societies Acts, 1893 to 1913, the rules whereof prohibit the payment of any interest or dividend at a rate exceeding six per cent. per annum;

The expression "housing trust" means a corporation or body of persons which, by the terms of its constituent instrument, is required to devote the whole of its funds, including any surplus which may arise from its operations, to the provision of houses for persons, the majority of whom are, in fact, members of the working classes, and to other purposes incidental thereto;

The expression "building byelaws" includes byelaws made by any sanitary authority under section forty-one of the Public Health (Ireland) Act, 1878, as amended by any subsequent enactment with respect to new buildings and new streets, and any enactments in section one hundred and nine of the Towns Improvement Clauses Act, 1847, or section forty-three of the Towns Improvement (Ireland) Act, 1854, or in any local Acts dealing with construction of new buildings, including the drainage thereof, and the laying out and construction and drainage of new streets, and any byelaws made with respect to such matters under any such local Act; 10 & 11 Vict. c. 34. 17 & 18 Vict. c. 103.

The expression "Housing Acts" means the Housing of the Working Classes (Ireland) Acts, 1890 to 1908, and this Act so far as it amends those Acts.

Part II.

Acquisition of Small Dwellings.

34. The following amendments shall be made in the Small Dwellings Acquisition Act, 1899:— Amendment of 62 & 63 Vict. c. 44.

In subsection (1) of section one, eight hundred pounds shall be substituted for four hundred pounds as the limit on

the market value of houses in respect of which advances may be made; ninety per centum shall be substituted for four-fifths with respect to the limitation on the amount which may be advanced; and paragraph (*b*) shall be repealed.

In subsection (2) of the said section one, fifty years shall be substituted for thirty years.

PART III.

GENERAL.

Commencement and extent of Act.

35. This Act shall, save as otherwise expressly provided, come into operation on the passing thereof, and shall extend to Ireland only.

Short title and citation.

36.—(1) This Act may be cited as the Housing (Ireland) Act, 1919, and the Housing of the Working Classes (Ireland) Acts, 1890 to 1908, and this Act, so far as it amends those Acts, may be cited collectively as the Housing of the Working Classes (Ireland) Acts, 1890 to 1919.

(2) The Small Dwellings Acquisition Act, 1899, and Part II. of this Act may be cited together as the Small Dwellings Acquisition (Ireland) Acts, 1899 and 1919.

Section 6.

SCHEDULES.

FIRST SCHEDULE.

RULES FOR DETERMINING THE AMOUNT OF REDUCTION OF COMPENSATION.

(*a*) The value of the whole of the land included in the scheme shall first be ascertained on the basis of its value as a cleared site available for development in accordance with the requirements of the building byelaws in force in the district.

(*b*) The value of the whole of the said land shall next be ascertained on the basis of its value as a cleared site, subject to the requirements of the scheme as to the provision to be made for the rehousing of persons of the working classes, or the laying out of open spaces on the land or any part thereof.

(*c*) The difference between the amounts ascertained under paragraph (*a*) and paragraph (*b*) shall then be computed.

(*d*) The amount by which the compensation payable for the respective interests in the land to which section six of this Act applies, as ascertained in accordance with the principle laid down in that section is to be reduced, shall be a fraction thereof equal to the amount arrived at under paragraph (*c*) when divided by the amount arrived at under paragraph (*a*).

SECOND SCHEDULE.

Section 30.

ENGLISH ENACTMENTS CAPABLE OF BEING APPLIED TO IRELAND.

Session and Chapter.	Short Title.	Enactments, capable of being applied.
3 Edw. 7. c. 39.	Housing of the Working Classes Act, 1903.	Sections three, seven, and ten to thirteen.
9 Edw. 7. c. 44.	Housing, Town Planning, &c., Act, 1909.	Subsection (3) of section two, sections five to seven, fourteen to twenty-nine, thirty-six to fifty-one, sections fifty-four to sixty-five, and the Second Schedule, and (so far as consequential on any other enactment applied), section seventy-five and the Sixth Schedule.

Any enactment amending any of the foregoing enactments and for the time being in force.

THIRD SCHEDULE.

Section 31.

AMENDMENTS AS TO PROCEDURE UNDER PART I. AND PART II. OF THE ACT OF 1890, AND MINOR AMENDMENTS OF THAT ACT.

Enactment to be amended.	Nature of Amendment.
Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70):	
s. 5 (2)	For the words "two or more justices" there shall be substituted the words "any justice," and for the word "twelve" there shall be substituted the word "six."
s. 6 (3)	For the words "the person entitled to the first "estate of freehold in any property comprised in the scheme or with the concurrence of such person" there shall be substituted the words "any person having "such interest in any property comprised "in the scheme as may be sufficient to "enable him to carry out and effect the "same."

Enactment to be amended.	Nature of Amendment.
Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70):	
s. 7	After the words "the local authority shall" the word "forthwith" shall be inserted.
s. 8 (5)	For the word "copy" there shall be substituted the word "notice."
s. 12 (1)	At end there shall be inserted the words "provided that the local authority shall not "be required to acquire any leasehold in- "terest in any property comprised in a "scheme which can be allowed to expire "without unduly delaying the execution of "the scheme."
s. 12 (6)	For the words "the person entitled to the first "estate of freehold in any land comprised "in an improvement scheme" there shall be substituted the words "any person having "such interest in any land comprised in an "improvement scheme as may be sufficient "to enable him to carry out and effect the "same."
s. 14	The whole section shall be omitted.
s. 16 (1)	For the words "twelve or more ratepayers have complained," there shall be substituted the words "complaint has been made," and after the word "district," there shall be inserted the words "by any person or per- "sons competent under the foregoing pro- "visions of this Part of this Act to make "such complaint," and for the word "rate- payers," there shall be substituted the words "complainant or complainants, as the case "may be." For the words from "and upon," to "the con- "firming authority shall," there shall be sub- stituted the words "and the confirming "authority may."
s 31 (1)	For the words "in any district any four or "more householders living in or near to any "street," there shall be substituted the words "any justice of the peace acting in a "district, or any four or more householders "in a district," and the words "in or near "that street" shall be omitted.
s. 31 2)	Before the word "householders," there shall be inserted the words "justice of the peace, or."
s. 38 2)	Before the words "any four or more inhabi- "tant householders of," there shall be in- serted the words "any justice of the peace "acting in a district, or."
s. 93	After the words "right over land," there shall be added the words "any land covered with "water, any water and any right to take or "convey water."

Enactment to be Amended.	Nature of Amendment.
Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70): Second Schedule—	
Paragraph (1) - -	For the words "as soon as practicable after "the passing of the confirming Act," there shall be substituted the words "before "making an application for the appoint- "ment of an arbitrator as hereinafter "mentioned."
Paragraph (9) - -	The words "(subject to the provisions con- "cerning an appeal hereinafter contained)" shall be omitted.
Paragraph (10) -	The words "once in each of three consecutive weeks" and the word "last" shall be omitted.
Paragraph (12) -	The words from "The local authority, or any "person interested" to the end of the para- graph shall be omitted.
Paragraphs (26) and (27).	These paragraphs shall be omitted.
Paragraph 29 (1) (*c*) -	For the words "before the appointment of the arbitrator" there shall be substituted the words "not less than fourteen days before "the date of the arbitration in that parti- "cular case."
Paragraph (30) -	After the word "documents" there shall be inserted the words "other than any formal "offer made by the local authority."
Paragraph (32) -	Substitute "a" for "some one and the same."

CHAPTER 46.

An Act to amend the Law relating to the Police in Great Britain. [15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Constitution of Police Federation.

1.—(1) For the purpose of enabling the members of the police forces of England and Wales to consider and bring to the notice of the police authorities and the Secretary of State all the matters affecting their welfare and efficiency, other than questions of discipline and promotion affecting individuals, there shall be established in accordance with the Schedule to this Act an organisation to be called the Police Federation, which shall act through local and central representative bodies as provided in that schedule.

(2) The Police Federation and every branch thereof shall be entirely independent of and unassociated with any body or person outside the police service.

Prohibition against constables being members of trade unions.

2.—(1) Subject as aforesaid, it shall not be lawful for a member of a police force to become, or after the expiration of one month from the passing of this Act to be, a member of any trade union, or of any association having for its objects, or one of its objects, to control or influence the pay, pensions, or conditions of service of any police force; and any member of a police force who contravenes this provision shall be disqualified for continuing to be a member of the force; and, if any member of a police force continues to act as such after becoming so disqualified, he shall forfeit all pension rights and be disqualified for being thereafter employed in any police force:

Provided that, where a man was a member of a trade union before becoming a constable, he may, with the consent of the chief officer of police, continue to be a member of that union during the time of his service in the police force.

(2) If any question arises whether any body is a trade union or an association to which this section applies, the question shall be determined by the Minister of Labour.

Penalty on persons causing disaffection, &c.

3. If any person causes, or attempts to cause, or does any act calculated to cause disaffection amongst the members of any police force, or induces, or attempts to induce, or does any act calculated to induce any member of a police force to withhold his services or to commit breaches of discipline, he shall be guilty of a misdemeanour, and shall be liable on conviction on indictment to imprisonment, with or without hard labour, for a term not exceeding two years, or on summary conviction, to imprisonment, with or without hard labour, for a term not exceeding three months, or to a fine not exceeding fifty pounds, or to both such imprisonment and fine, and in either case, if a member of a police force, shall forfeit all pension rights and be disqualified for being a member of any police force: Provided that, where the person convicted of any such offence was a member of a police force and was not sentenced to imprisonment without the option of a fine, the police authority may, if they think fit, pay to him the whole or any part of the rateable deductions which may have been made from his pay.

Power of Secretary of State to regulate pay, &c., of police forces.

4.—(1) It shall be lawful for the Secretary of State to make regulations as to the government, mutual aid, pay, allowances, pensions, clothing, expenses and conditions of service of the members of all police forces within England and Wales, and every police authority shall comply with the regulations so made.

(2) A draft of any regulations proposed to be so made as aforesaid shall be submitted to a council, consisting of the joint central committee or a deputation from the joint central committee of the Police Federation and representatives of the chief

officers of police and police authorities selected for the purpose by the Secretary of State, after consultation with the County Councils Association and the Association of Municipal Corporations, and before making the regulations the Secretary of State shall consider any representations made by such council.

Amendment of 4 & 5 Geo. 5. c. 34. s. 1 and c. 80. s. 1.

5. The subsection which, by virtue of section one of the Police Constables (Naval and Military Service) Act, 1914, is to be substituted for subsection (2) of section one of the Police Reservists (Allowances) Act, 1914, shall have effect and shall be deemed always to have had effect as if for the words "pensions " and allowances equal to one half the amount payable out of " naval or military funds" there were substituted the words " pensions and allowances in addition to the amount payable out " of naval, military, or air-force funds," and as if it authorised pensions and allowances granted thereunder to be reckoned on the rate of pay which the man would have been receiving at the date of his death or disablement had he then been a member of the police force.

Amendment of provisions as to police pensions. 53 & 54 Vict. c. 45.

6. At the end of paragraph eleven of the First Schedule to the Police Act, 1890, there shall be inserted the words " so, " however, that the pension shall not be less than if the " constable had continued in his former rank."

Abolition of limits on police rates. 10 Geo. 4. c. 44. 45 & 46 Vict. c. 50.

7. So much of section twenty-three of the Metropolitan Police Act, 1829, as amended by any subsequent enactment, as limits the annual sum to be provided for the purposes of the Metropolitan Police, and so much of section one hundred and ninety-seven of the Municipal Corporations Act, 1882, as limits the amount of the watch rate, and so much of any other Act, whether public, general, or local, as limits any rate which may be raised for the purposes of the police, shall cease to have effect.

Calculation of amount payable out of Exchequer contribution on account of police. 51 & 52 Vict. c. 41.

8.—(1) The amounts payable or transferable by a county council under subsection (2) of section twenty-four of the Local Government Act, 1888, on account of police in respect of the year ending the thirty-first day of March, nineteen hundred and twenty, or any subsequent year shall, instead of being calculated in manner provided in paragraphs (*i*) and (*j*) of that subsection, be the full amounts payable or transferable in accordance with the said paragraphs in respect of the year ending the thirty-first day of March, nineteen hundred and fifteen.

(2) This section shall be construed as one with the Local Government Act, 1888, and shall apply to county borough councils in like manner as it applies to county councils.

Contributions out of police funds to provident funds.

9. It shall be lawful for the police authority of any police force, out of the police fund, to make contributions to any provident fund approved by the Secretary of State out of which provision is made for payments to members of the police force

on their retirement, or, on their death, to their widows, dependants, or representatives.

Penalty on unauthorised use of police uniform.

10. If any person not being a member of a police force wears without the permission of the police authority the uniform of the police force, or any dress having the appearance or bearing any of the distinctive marks of that uniform, he shall on summary conviction be liable to a fine not exceeding ten pounds:

Provided that this section shall not prevent persons from wearing any uniform or dress in the course of a stage play or music hall or circus performance.

Powers of Deputy Assistant Commissioner of Metropolitan Police.

11. An officer of the Metropolitan Police Force appointed by the Secretary of State to act as Deputy Assistant Commissioner shall, for the purpose of receiving declarations of men appointed to act as constables and counter-signing the drafts and orders for money drawn on the Bank of England by the Receiver for the Metropolitan Police District, have all such powers as are exercisable by an Assistant Commissioner of the Metropolitan Police.

Police forces to which Act applies.

12. This Act shall apply to the City of London Police and to every police force to which the Police Act, 1890, applies; and, in relation to the City of London Police, the expressions "police authority" and "police fund" mean the mayor, aldermen, and commonalty of the City of London in common council assembled, and the fund out of which the expenses of the city police are defrayed, and, in relation to any other police force, have the same meaning as in the Police Act, 1890.

Application to Scotland.

13.—(1) This Act shall apply to Scotland, with the substitution of references to the Secretary for Scotland for references to the Secretary of State, of references to Scotland for references to England and Wales, and of references to the Police (Scotland) Act, 1890, for references to the Police Act, 1890, and in the case of the schedule, subject to such modifications as the Secretary for Scotland may by order prescribe for the purpose of adapting the provisions of that schedule to the circumstances of Scotland.

53 & 54 Vict. c. 67.

(2) As from the fifteenth day of May, nineteen hundred and nineteen, a limit of three shillings in the pound shall be substituted in section three hundred and forty of the Burgh Police (Scotland) Act, 1892, for the rating limit prescribed therein; and the rating limit for police purposes prescribed in any local Act shall be correspondingly raised.

55 & 56 Vict. c. 55.

(3) As from the first day of April, nineteen hundred and nineteen, pensions, gratuities, and allowances which are required by the Police (Scotland) Act, 1890, to be calculated according to the average annual amount of pay received by a constable for the three years next before the date of his retirement or death shall, instead of being so calculated (except where the

constable at the date of his retirement or death holds a rank to which he has been promoted within the said three years), be calculated according to the amount of his annual pay at the date of his retirement or death, so, however, that the pension shall not be less than if the constable had continued in his former rank.

Consultation between Secretary of State and Secretary for Scotland.

14. In making regulations as to government, mutual aid, pay, allowances, pensions, clothing, expenses and conditions of service of members of the police force, the Secretary of State and the Secretary for Scotland shall act in consultation one with another.

Short title and extent.

15.—(1) This Act may be cited as the Police Act, 1919.
(2) This Act shall not extend to Ireland.

SCHEDULE.

Section 1.

PART I.

POLICE FEDERATION.

Constitution of Police Federation.

1. The Federation shall consist of all members for the time being of the several police forces in England and Wales below the rank of superintendent, and the Federation shall act through Branch Boards, Central Conferences, and Central Committees as is hereinafter provided.

The Branch Boards.

2. The members of each police force below the rank of superintendent shall form a Branch of the Federation, and in each Police Force there shall be constituted three Branch Boards—one for constables, one for sergeants, and one for inspectors.

3. Where the number of any rank in any Police Force does not exceed seven, all members of that rank shall form the Branch Board. Where the number of any rank exceeds seven, there shall be elected by the members of that rank from amongst their number a Branch Board consisting of five, or, if the authorised strength of the force exceeds two hundred, seven members: Provided that, in the case of the Metropolitan Police Force and any other Police Force containing more than three divisions, a Branch Board shall consist of one member for each division elected by the members of the force of the rank in question belonging to that division.

In the case of the Metropolitan Police Force, inspectors, sergeants, and constables attached to the following departments, that is to say:—

(*a*) The Commissioner's Office (Uniform Branch, including detachments);
(*b*) The Public Carriage Department;
(*c*) The Criminal Investigation Department (including all officers, whether serving at Central Office or elsewhere);

shall, for the purposes of the foregoing proviso, be treated as if each such department formed a separate division to which they belonged.

4. Subject as aforesaid, all members of the force of each rank shall have the right to vote at the election of the Branch Board for that rank.

5. The elections shall take place annually in October and the annual meetings of all Boards shall be held not later than the seventh day of November.

6. The members of each Board shall at the annual meeting elect a delegate or delegates to the Central Conference as hereinafter provided.

7. Subject as aforesaid, the three Branch Boards in any Police Force or any two of them may by agreement sit together as one Board either for any special purpose or regularly for all purposes of common interest.

8. A Branch Board, in addition to submitting any representation to the Chief Officer of police or the Police Authority, may submit it also to the Secretary of State.

The Central Conferences and Central Committees.

9. The Central Conference for each rank shall be held annually in November.

10. Each Conference shall consist of delegates elected by the members of the Branch Boards of corresponding rank of all police forces in England and Wales in the following proportions:—If the authorised strength of the force is less than 200, one delegate for each board; if the authorised strength is between 200 and 500, two delegates; if between 500 and 1,000, three delegates; if more than 1,000, four delegates. The Metropolitan Police Force shall be represented on each conference by a number of representatives equal to the number of members of the Branch Board in question, and the delegates shall, unless a Branch Board otherwise decide, be the members of that Board.

11. A delegate must be a member of the police force which he represents.

12. The members of each Conference shall elect from amongst their members a Central Committee of six members, of whom two shall be elected by the delegates of the Metropolitan and City of London Police Forces, two by the delegates of the County Police Forces and two by the delegates of the Borough Police Forces.

13. Subject as aforesaid, the three Central Committees or any two of them may by agreement sit together as a Joint Committee for any special purpose, or regularly for all purposes of common interest. They may also be summoned to sit as a Joint Committee by the Secretary of State for the consideration of any question referred to them by him.

14. The Central Committees either separately or as a Joint Committee may submit representations in writing to the Secretary of State, and in matters of importance the Secretary of State will be prepared to give any Committee or a deputation from the Committee a personal hearing.

Elections.

15. All elections shall be by secret ballot and the provisions of the Ballot Act, 1872, for securing secrecy and freedom from interference in voting as set out and adapted in Part II. of this schedule, shall apply in respect of all elections under this schedule.

35 & 36 Vict. c. 33.

16. At any election under this schedule each elector may give one vote and no more for each of any number of candidates not exceeding the number to be elected.

17. Subject to the provisions of this schedule, each Branch Board may make regulations as to the mode of election of the members of the Board and of the delegates to the Central Conference returned by the Board, and as to the filling of casual vacancies occurring amongst

such members and delegates, and each Central Committee may make regulations as to the mode of election of the members thereof by the Central Conference and as to the filling of casual vacancies occurring amongst the members of the Committee: Provided that, in the case of first elections, regulations as to the mode of elections shall, subject as aforesaid, be made by the Secretary of State.

Police Councils.

18. The Secretary of State may arrange for the holding of Police Councils for the consideration of general questions affecting the Police, at which the Joint Central Committee or a deputation from that Committee may be invited to meet representatives of Police Authorities, Chief Officers of Police, and Superintendents, under the chairmanship of the Secretary of State or of an officer of the Home Department, or other person appointed for the purpose by the Secretary of State.

Officers and Meetings.

19. Each Branch Board, Central Conference, and Central Committee shall choose its chairman and secretary from among its own members.

20. The chairman at any meeting of a Branch Board Central Conference or Central Committee at which he is present shall have a second or casting vote.

21. Subject to the provisions of this schedule, every Branch Board Central Conference or Central Committee may regulate their own procedure, including the appointment of committees or sub-committees: Provided that the first meeting of the several Boards, Conferences, and Committees shall be convened in such manner, and the procedure to be followed thereat shall be such, as the Secretary of State may direct.

22. Branch Boards may hold four quarterly meetings (including the annual meeting), each lasting one day, but additional meetings for any special purpose may be held with the consent of the Chief Officer of Police.

The annual meetings of the Central Conferences shall not last more than two days.

Each Central Committee may hold meetings once in two months, each lasting one day, but additional meetings for special purposes may be held with the consent of the Secretary of State.

23. Except where, in special circumstances, an officer of police is required for duty for which no substitute is available, leave shall be given for attendance at all such meetings duly held and every such attendance shall, as regards allowances and expenses, be deemed to be an occasion of police duty.

PART II.

THE PROVISIONS OF THE BALLOT ACT, 1872, AS APPLIED AND ADAPTED.

Every person in attendance at a polling station or other place of voting shall maintain and aid in maintaining the secrecy of the voting in such station or place, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or other means of identification of any elector who has or has not applied for a ballot paper or voted at that station or place, and no such person and no person whosoever shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station or other place

of voting information as to the candidate for whom any voter in such station or place is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station or other place of voting as to the candidate for whom any voter in such station or place is about to vote or has voted. Every person in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting and shall not communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Every person who acts in contravention of the provisions of this section shall be liable on summary conviction to imprisonment for a term not exceeding six months with or without hard labour.

CHAPTER 47.

An Act to provide for the establishment of a Court of Appeal for certain of His Majesty's Colonies in the West Indies. [15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Constitution of West Indian Court of Appeal.

1.—(1) There shall be a Court of Appeal for the West Indian Colonies to which this Act applies, which shall be called the West Indian Court of Appeal, and is in this Act referred to as "the Court of Appeal."

(2) The colonies to which this Act applies shall be the colonies of Trinidad and Tobago, British Guiana, Barbados, the Leeward Islands, Grenada, St. Lucia, and St. Vincent:

Provided that His Majesty may, by Order in Council from time to time, add any other colony to the number of colonies to which this Act applies, or direct that this Act shall no longer apply to any colony specified in the Order if, in any such case, His Majesty is satisfied that due provision in that behalf has been made by the Legislature of the colony in question.

(3) The Judges of the Court of Appeal shall be the Chief Justices of the colonies to which this Act, for the time being, applies:

Provided that—

(*a*) if the Chief Justice of the colony in which the Court of Appeal is at any time sitting is unable from any cause to sit, the Governor of the colony may appoint a person appearing to him to be duly qualified instead of such Chief Justice to sit and hear either a particular appeal or all appeals to be heard during the whole of any particular sittings of the court in that colony; and

(*b*) His Majesty may by letters patent appoint an additional judge of the Court of Appeal who shall be a barrister of not less than eight years standing.

The expression "Chief Justice" in this Act, in the case of the colonies of Grenada, St. Lucia, and St. Vincent, means the senior substantive Chief Justice in those colonies, and, in the case of other colonies to which this Act applies, includes any person for the time being acting in the capacity of Chief Justice.

(4) His Majesty may, by Order in Council, direct that the Court of Appeal shall sit in two or more divisions, and may assign any colony to any division, with the consent of such colony, expressed by resolution of the legislature thereof, but every judge of the court may sit in any division.

(5) The Court of Appeal shall have, and use as occasion may require, a seal, having a device or impression of the Royal Arms, with the inscription "The West Indian Court of Appeal."

(6) The Court of Appeal shall be duly constituted if it consists of not less than three judges and of an uneven number of judges.

(7) The determination of any question before the Court of Appeal shall be according to the opinion of the majority of the members of the court hearing the case.

(8) A judge of the Court of Appeal shall not sit as a judge on the hearing of an appeal from any judgment or order made by himself or made by any court, if he was present and acting as a member of the court at the time when the decision appealed from was made, or at the argument of the case decided.

Precedence of judges.

2.—(1) The Chief Justice of Trinidad, if present, and, in his absence, the senior substantive Chief Justice, shall be president of the Court of Appeal.

(2) The Chief Justices shall rank as between themselves according to the respective dates of their appointments as Chief Justices.

(3) An acting Chief Justice shall not preside, and shall rank after the last-appointed substantive Chief Justice, and acting Chief Justices shall rank as between themselves according to the respective dates of their appointments as acting Chief Justices:

Provided that, if an additional judge of the Court of Appeal is appointed by His Majesty under this Act, that judge shall rank after the last-appointed substantive Chief Justice and before the senior acting Chief Justice.

(4) A person appointed under this Act to sit in the Court of Appeal instead of a Chief Justice shall rank after the last-appointed acting Chief Justice.

Jurisdiction of Court of Appeal

3.—(1) The Court of Appeal shall have jurisdiction and power to hear and determine appeals (including reserved questions of law) from any of the courts of the colonies to which this Act for the time being applies, subject, however, to the provisions of this Act, and to any provision which may be made by the Legislature of any of those colonies as to appeals from that colony, and to rules of court made under this Act.

(2) The process of the Court of Appeal shall run throughout the colonies to which this Act applies, and any judgment, decree, or order of the Court of Appeal shall have full force and effect in every such colony, and shall be executed and enforced in like manner as if it were an original judgment, decree, or order of the court from which the appeal is brought, and, for all purposes of and incidental to the hearing and determination of any appeal within its jurisdiction, the Court of Appeal shall have all the power, authority, and jurisdiction vested in the court from which the appeal is brought.

(3) In the hearing of an appeal from any colony, the law to be applied shall be the law in operation in that colony.

Registrars and assessors.

4.—(1) His Majesty may, by Order in Council, provide for the appointment of a registrar or registrars and all other necessary officers of the court, and make such provision with respect to such registrars and officers as appears necessary or expedient.

Pending the making of any such Order in Council, the registrars of the supreme courts of the colonies to which this Act for the time being applies shall be ex-officio registrars of the Court of Appeal.

(2) The court may, in any case in which it appears to it to be expedient, call in the aid of one or more assessors specially qualified and hear such cases wholly or partially with the assistance of such assessors.

The remuneration (if any) to be paid to such assessors shall be determined by the court.

Rules of court.

5.—(1) Subject to the provisions of this Act, the judges of the Court of Appeal, or a majority of them, of whom the president shall be one, may make rules of court for regulating—

(*a*) the time and place of the sittings of the Court of Appeal, and the selection of judges for any such sittings; and

(*b*) the delivery of judgments in the Court of Appeal; and

(*c*) generally, the practice and procedure of the Court of Appeal or any matters relating thereto (including the right of audience in the Court of Appeal), or to the duties of the officers thereof, or to the costs of or fees upon proceedings therein.

(2) Before any such rules of court are made, a draft thereof shall be submitted to the Governments of the colonies to which

this Act for the time being applies, and no such rules of court affecting appeals from any colony in particular shall be made unless the draft has been approved in such manner as the Legislature of that colony may determine.

(3) Any such rules shall, subject to disallowance by His Majesty, come into operation on a day specified in the rules for the purpose, and any disallowance by His Majesty shall take effect as from the date to be directed by the Secretary of State and published in the Gazette in which official notices are published in each of the colonies to which this Act for the time being applies, but without prejudice to any proceedings taken before such publication.

(4) Any fees paid in pursuance of any such rules shall be applied and dealt with in such manner as may be directed by His Majesty in Council.

Expenses.

6. The expenses of the Court of Appeal shall be borne by the colonies to which this Act for the time being applies in such proportion as may from time to time be fixed by His Majesty in Council.

Saving for jurisdiction of Privy Council.

7. Subject to any provision which may be made by the Legislature of any colony to which this Act for the time being applies, whereby appeals from any court in that colony are to be made in the first instance to the Court of Appeal, nothing in this Act shall prejudice or affect the right of any person to appeal to His Majesty in Council.

Repeal, short title and commencement. 52 & 53 Vict. c. 33.

8.—(1) The Windward Islands Appeal Court Act, 1889, is hereby repealed, and any appeals pending in the court established under that Act shall, subject to rules of court made under this Act, be transferred to the Court of Appeal.

(2) This Act may be cited as the West Indian Court of Appeal Act, 1919.

(3) This Act shall come into operation on the first day of July, nineteen hundred and twenty, or on such earlier date as may be fixed by His Majesty by Order in Council.

. . . . . .

CHAPTER 48.

An Act to amend the Coal Mines Acts, 1887 to 1914, with respect to the Hours of Employment below Ground. [15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Reduction of hours of employment below ground 8 Edw. 7. c. 57.

1. The Coal Mines Regulation Act, 1908, in its application to mines in which coal is worked shall have effect subject to the following modifications—

(*a*) as from the sixteenth day of July nineteen hundred and nineteen, this Act shall have effect as if in subsections (1) and (2) of section one thereof for "eight hours" there were substituted "seven hours," and as if in proviso (*a*) to subsection (7) of section one thereof for "nine hours and a half" there were substituted "eight hours"; and

(*b*) if, after the end of the year nineteen hundred and twenty, a Resolution is passed by both Houses of Parliament that the economic position of the coal industry is such as to allow a further reduction of working hours, then, as from the thirteenth day of July nineteen hundred and twenty-one, the Act shall have effect as if in subsections (1) and (2) of section one thereof for "eight hours" there were substituted "six hours," and as if in proviso (*a*) to subsection (7) of section one thereof for "nine hours and a half" there were substituted "seven hours"; and

(*c*) in proviso (*a*) to subsection (7) of section one thereof the word "onsetter" shall be omitted:

Provided that the Secretary of State, after consultation with the workmen affected or their representatives, may, in the case of persons employed on work which requires to be carried on continuously by day and night, allow them to be employed below ground for not more than eight hours during any consecutive twenty-four hours.

Short title and extent.

2.—(1) This Act may be cited as the Coal Mines Act, 1919, and the Coal Mines Acts, 1887 to 1914, and this Act may be cited together as the Coal Mines Acts, 1887 to 1919.

(2) This Act shall not extend to Ireland unless and until applied thereto by Order in Council, and any such Order may provide that in the application of this Act to Ireland such later dates as may be fixed by the Order shall be substituted for the dates mentioned in section one.

CHAPTER 49.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and eighteen and one thousand nine hundred and twenty.

[15th August 1919.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 10*l.* out of the Consolidated Fund for the service of the year ended 31st March 1918.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ended on the thirty-first day of March, one thousand nine hundred and eighteen, the sum of ten pounds.

Issue of 613,900,596*l.* out of the Consolidated Fund for the service of the year ending 31st March 1920.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty, the sum of six hundred and thirteen million nine hundred thousand five hundred and ninety-six pounds.

Power for the Treasury to borrow.

3.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole six hundred and thirteen million nine hundred thousand six hundred and six pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, one thousand nine hundred and twenty, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

4. This Act may be cited as the Consolidated Fund (No. 2) Act, 1919.

CHAPTER 50.

An Act to establish a Ministry of Transport and for purposes connected therewith. [15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Appointment of Minister of Transport.

1. For the purpose of improving the means of, and the facilities for, locomotion and transport, it shall be lawful for His Majesty to appoint a Minister of Transport (hereinafter referred to as the Minister), who shall hold office during His Majesty's pleasure.

Powers and duties.

2.—(1) It shall be the duty of the Minister in the exercise and performance of any powers and duties transferred to, or conferred or imposed upon, him by or in pursuance of this Act, to take steps to carry out the purposes aforesaid, and there shall, as from such date or dates as His Majesty in Council may by Order determine, be transferred to the Minister all powers and duties of any Government Department in relation to—

(*a*) railways;
(*b*) light railways;
(*c*) tramways;
(*d*) canals, waterways, and inland navigations;
(*e*) roads, bridges and ferries, and vehicles and traffic thereon;
(*f*) harbours, docks and piers;

including any powers and duties of any Government Department in relation to any railway, light railway, tramway, canal, inland navigation, harbour, dock, pier, or other undertaking concerned with any of the matters aforesaid, and any powers of any Government Department with respect to the appointment of members or the procedure of any commissioners, conservancy board or other body having jurisdiction with respect to any such matters as aforesaid, and any powers of any Government Department with respect to the making, confirming, issuing, granting, or giving (as the case may be) of byelaws, regulations, orders, licences, approvals, or consents relating to any of the matters hereinbefore mentioned:

Provided that—

(i) His Majesty in Council may by Order except from such transfer any particular powers or duties, or provide for the exercise or performance of any power or duty so excepted by the Minister concurrently or in consultation with or at the instance of the Government Department concerned, or by

the Government Department concerned concurrently or in consultation with the Minister, or provide for the retransfer to any such Department of any powers and duties transferred to the Minister by this section; and

(ii) Nothing in this section shall transfer to the Minister any powers or duties of the Admiralty exerciseable in or in relation to ports declared under the Dockyard Port Regulation Act, 1865, to be dockyard ports, but His Majesty in Council may by Order transfer to the Admiralty, instead of to the Minister, any of the powers of the Board of Trade with respect to dockyard ports, or with respect to the appointment of members of any commissioners, conservancy board, or other body having jurisdiction in the whole or any part of a dockyard port; and 28 & 29 Vict. c. 125.

(iii) Nothing in this section shall transfer to the Minister the powers of the Board of Trade with respect to the appointment of members or the procedure of the Railway and Canal Commission, but His Majesty in Council may by Order transfer those powers to a Secretary of State instead of to the Minister.

(2) His Majesty in Council may by Order make such incidental, consequential and supplemental provisions as may be necessary or expedient for the purpose of giving full effect to any transfer of powers or duties by or under this section, including provisions for the transfer of any property, rights and liabilities held, enjoyed, or incurred by any Government Department in connexion with any powers or duties transferred, and may make such adaptations in the enactments relating to such powers or duties as may be necessary to make exerciseable by the Minister and his officers or by the Admiralty and their officers, as the case may be, the powers and duties so transferred: Provided always that nothing herein contained shall enable the powers so transferred to be increased.

(3) In connexion with the transfer of powers and duties to the Minister, Admiralty, or Secretary of State, by or under this Act, the provisions set out in the First Schedule to this Act shall have effect.

(4) There shall be attached to the Ministry a separate department charged with dealing in the ordinary course of departmental business with road construction, improvement, maintenance, and development.

Power to control temporarily railways, &c.

3.—(1) With a view to affording time for the consideration and formulation of the policy to be pursued as to the future position of undertakings to which this section applies, the

following provisions shall, unless Parliament otherwise determines, have effect for a period of two years after the passing of this Act, or where as respects any particular provision a longer period is expressly provided, for such longer period :—

(*a*) Where at the passing of this Act possession has been taken of any railroad undertaking or part thereof in pursuance of section sixteen of the Regulation of the Forces Act, 1871, or otherwise, possession thereof shall be retained without any renewal of the warrant granted by the Secretary of State in pursuance of that section, upon the same terms as to compensation as those heretofore in force, and the Minister may exercise over all such undertakings all such powers as have hitherto been exercised by the Board of Trade under the said Act or with the consent of the owners of the undertakings or otherwise, and such other powers as may be conferred by this section or agreed to by the railway companies concerned :

34 & 35 Vict. c. 86.

(*b*) The Minister may, after giving not less than one month's notice in writing, take possession, in the name or on behalf of His Majesty, of the whole or any part of any other statutory railway undertaking or of any light railway or tramway undertaking (other than a tramway or a light railway used as a tramway belonging to a local authority), or of any canal or inland navigation undertaking, and, subject as hereinafter mentioned, of any harbour, dock or pier undertaking, or of any plant belonging to any such undertaking as aforesaid or used thereon (exclusive of privately owned railway wagons), and of any barges, tugs, and other craft owned or held by the undertaking of which possession has been taken : Provided that such notice as aforesaid shall not, in the event of the matter being referred to an advisory committee as hereinafter provided, be given until the committee has reported :

(*c*) The directors and other persons concerned with the management, and officers and servants of any undertaking of the whole or part of which, or of the plant whereof, possession is retained or taken shall obey the directions of the Minister as to the user thereof, and any directions of the Minister in relation to the undertaking or part or plant thereof of which possession is retained or taken—

(i) as to the rates, fares, tolls, dues, and charges to be charged ; subject, however, to the provisions hereinafter contained respecting references to the advisory committee established for advising as to directions on the matters aforesaid ;

(ii) as to the salaries, wages, and remuneration and conditions of employment of persons employed on or in connexion with the undertaking;

(iii) as to the working or discontinuance of the working of the undertaking or any part thereof including directions as to keeping open or closing of any stations;

(iv) for securing that the permanent way, rolling stock, plant, appliances, or equipment, whether fixed or moveable, are satisfactory in type and design;

(v) as to the carrying out of alterations, improvements, and additions which the Minister considers necessary for the public safety or for the more efficient and economic working of the undertaking;

(vi) for securing co-operation between undertakings and for securing the common user of facilities, rolling stock and equipment whether fixed or moveable;

(vii) for affording running powers over their system, or any part thereof, to the owners of any other undertaking;

(viii) for securing that manufacturing and repairing facilities and auxiliary and ancillary services shall be used, and the purchase and distribution of stores shall be conducted, in such manner as may be most conducive to economy and efficiency.

Nothing in this section shall be construed as authorising the Minister to compel the owners of any such undertaking either to incur capital expenditure, or to draw upon their reserve funds, for new works or capital improvements to an extent which would seriously interfere with their finances, it being the intention that the financing of the undertakings from a capital point of view shall remain as far as possible with the owners.

(*d*) For enabling any directions given by the Minister under the last foregoing paragraph as to alterations, and improvements and additions to be carried into effect, the Minister may, by order, authorise the owners of any undertaking to acquire any land (or easements) and to construct any works, and the order may incorporate the Lands Clauses Acts, subject to such modifications as may be specified in the order, being modifications of those Acts made or authorised to be made by the Development and Road Improvement Funds Act, 1909, or any other enactment, and may incorporate or apply any of the provisions of any enactment relating to the construction, maintenance, 9 Edw. 7. c. 47.

or working of railways, light railways, tramways, canals, harbours, docks, and piers, and any such order shall have effect as if enacted in this Act: Provided that nothing herein contained shall be deemed to empower the Minister to authorise the acquisition, otherwise than by agreement, of any land belonging to the owners of another undertaking to which this section applies, or of a local authority, or of a harbour dock or pier undertaking, but the Minister may authorise the acquisition of an easement or right of using such land for the purposes of any works the construction of which he may authorise under this section.

(*e*) In the case of any undertaking of which possession is retained or taken by the Minister as aforesaid any rates, fares, tolls, dues and other charges directed by the Minister shall be deemed to be reasonable, and may, notwithstanding any agreement or statutory provisions limiting the amount of such charges or increases therein, be charged in respect of any undertaking during the period for which the Minister retains possession of such undertaking, and for a further period of eighteen months after the expiration of the said period, or until fresh provision shall be made by Parliament with regard to the amount of any such rates, fares, tolls, dues, and other charges, whichever shall first happen:

(*f*) Notwithstanding anything contained in this Act, the rights of a consignor or consignee of goods or minerals, any trader or class of traders, or any port or harbour authority or dock company to complain to the Railway and Canal Commission under the Railway and Canal Traffic Acts, 1854 to 1913, in respect of undue preference or undue disadvantage or allowances or rebates in relation to the provision of station accommodation or terminal services shall not be deemed to be affected, and it shall be no answer to any such complaint that the railway company in respect of which the complaint is made was acting under the directions of the Minister.

(2) Subject as aforesaid, any agreement made between the owners of any undertaking, of the whole or part of which possession has been retained or taken under this section, and any other person shall continue in force in like manner as if such possession had not been so retained or taken, unless the Minister considers that such agreement is contrary to the public interest, and in that case he may suspend or modify the operation of such agreement during the period of such possession and for a period not exceeding eighteen months thereafter, and any

party to the agreement who suffers loss or injury by reason of such suspension or modification, and any person who, by virtue of any special statutory provision or agreement, is entitled to the benefit of any special rate, fare, toll, due, or other charge, and whose position relatively to other persons is prejudiced by any direction of the Minister altering such special charge, shall be entitled to receive such compensation as, in default of agreement, may be determined by the Railway and Canal Commission, regard being had to any change in circumstances.

(3) The exercise by the Minister of any of his powers under this section as respects any tramway or light railway used as a tramway which a local authority, or two or more local authorities, have power to purchase under any Act of Parliament or order having the effect of an Act of Parliament shall not affect such right of the local authority, or authorities, and upon the purchase thereof such tramway or light railway shall cease to be in the possession of the Minister.

(4) Nothing in this section shall be deemed to exempt from any local rate or assessment any undertaking to which this section applies.

(5) For the purposes of this Act, possession so taken or retained as aforesaid shall confer on the Minister such rights of control and direction as may be necessary for the exercise of his powers under this Act, but shall not confer on him any rights of ownership.

Saving for statutory harbour, dock and pier authorities.

4. Except where any harbour, dock, or pier forms part of a railway undertaking, nothing in section three of this Act shall apply to any harbour, dock, or pier undertaking established by Act of Parliament, including the Manchester Ship Canal, or to the owners of any such undertaking, without the consent of such owners, but, if at any time during the two years after the passing of this Act, the Minister shall consider that it is desirable in the national interest that the transport facilities and accommodation at the harbour, or at any dock or pier of the owners, should be improved or extended, or that the method of working should be altered, the Minister may by order, for the purposes aforesaid, require the owners to execute or do, within a reasonable time, such improvement or extension or alteration in the method of working as the order may prescribe, and may, for that purpose by order, confer on the owners any such powers of acquiring land or easements or constructing works as are mentioned in paragraph (*d*) of subsection (1) of that section: and the provisions of this Act relating to orders made under that paragraph shall apply to orders conferring such powers as aforesaid:

Provided that, if the owners of such undertaking consider that any such requirements are likely to be seriously injurious to the undertaking, or to the trade of the port, they may,

within thirty days of receiving notice of such requirements from the Minister, appeal, in the case of an undertaking situate in England or Wales, to the Lord Chief Justice of England, or, in the case of an undertaking situate in Scotland, to the Lord President of the Court of Session, or, in the case of an undertaking situate in Ireland, to the Lord Chief Justice of Ireland, and, if it appears to such Lord Chief Justice or Lord President that a primâ facie case is made out that the requirements of the Minister would be so injurious as aforesaid, he shall forthwith appoint an arbitrator to hold an immediate inquiry, and, if the arbitrator reports that the carrying out of the requirements of the Minister will be so injurious as aforesaid, the Minister shall revoke his requirements, without prejudice to the power of the Minister to issue a new order.

Power to grant through-runnings on tramways.

5. The Minister shall have the power to require through-runnings on adjoining tramways belonging to different owners, whether local authorities or not, and in default of agreement between such owners to settle the terms of such through-running, after hearing the said owners, in such manner as he thinks fit.

Power to retain lands, &c.

6. Where in pursuance of any direction given by the Minister under this Act the owners of any undertaking shall acquire any lands or easement, or construct any works, or carry out any alteration or improvement of or addition to their undertaking, the owners may, after the expiration of the period of possession, continue to hold and use such lands or easement and maintain and use such works, alteration, improvement, or addition for the purposes of their undertaking, and such land, easement, works, alteration, improvement, and addition shall for all purposes be deemed to form part of their undertaking.

Provisions as to officers and servants.

7.—(1) The following provisions shall apply with respect to officers or servants of any undertaking of which, or of any part or plant of which possession has been retained or taken under this Act (all of which officers and servants are in this Act hereinafter referred to as "existing officers and servants") :—

(i) Where the Minister requires the services of any existing officer or servant, that officer or servant may be transferred to the Minister—

(*a*) either permanently with the consent of the officer or servant; or

(*b*) temporarily with the consent (which shall not unreasonably be withheld) of the officer or servant, and of the owners of the undertaking;

(ii) No existing officer or servant so transferred, whether temporarily or permanently, shall without his consent be, by reason of such transfer or anything done under this Act, in any worse position in respect to the conditions of his service (including tenure of office,

remuneration, gratuities, pension, superannuation, sick fund or any benefits or allowances, whether obtaining legally or by customary practice), as compared with the conditions of service obtaining with respect to him at the passing of this Act, and, if any question arises as to whether the provisions of this paragraph have been complied with, the question shall be referred to a standing arbitrator or board of arbitration appointed by the Lord Chancellor for the purposes of this section, and, if the arbitrator or board consider that those provisions have not been complied with and that the officer or servant has thereby suffered loss or injury, they shall award him such sum as they think sufficient to compensate him for such loss or injury :

(iii) Where an existing officer or servant has been transferred either temporarily or permanently to the Minister under this section, then, so long as the Minister remains in possession of that undertaking or any part or plant thereof, that officer or servant may remain a full member of any pension or superannuation fund established in connexion with the undertaking with all the rights to which he would be entitled had he continued in the service of the owners of the undertaking, and any contributions payable under the rules of the pension or superannuation fund or by customary practice by the owners of the undertaking may be paid by the Treasury out of moneys provided by Parliament, and he shall be entitled to receive such reasonable allowances for temporary disturbance as the Minister with the consent of the Treasury may determine (including direct pecuniary loss sustained in consequence of the transfer) :

(iv) Every existing officer or servant not transferred to the Minister in pursuance of this Act shall, notwithstanding the powers conferred upon the Minister by this Act, continue to hold his office or situation under the owners of the undertaking under the same tenure and upon the same terms and conditions (including all conditions regarding gratuities, pension, superannuation, sick fund, or any benefits or allowances), whether obtaining legally or by customary practice, as he held it on the date of the passing of this Act, and while performing the same duties shall receive not less salary, wages, or remuneration than under existing regulations, agreements, or established customs of the service he would have been entitled to if this Act had not been passed :

(v) The Minister may direct that the office or situation of any existing officer or servant which he deems unnecessary shall be abolished: Provided that the Minister shall not require the abolition of any such office which will, in the opinion of the owners of the undertaking, be essential to them in their conduct of the undertaking at the end of the period of possession:

(vi) If by or in consequence of a direction of the Minister any existing officer or servant is, during the period of possession, required to perform duties such as are not analogous or which are an unreasonable addition to those which he has, prior to the date of the passing of this Act, been required to perform, such officer or servant may relinquish his office or service:

(vii) Every such officer or servant who so relinquishes his office or service as aforesaid, and every such officer or servant whose services by or in consequence of any such direction are dispensed with on the ground that his services are not required, or for any reason not being on account of any misconduct or incapacity, or whose salary, wages, or remuneration are reduced on the ground that his duties have been diminished by or in consequence of any such direction, or who otherwise suffers any direct pecuniary loss in consequence of this Act (including any loss of prospective superannuation or other retiring or death allowances, whether obtaining legally or by customary practice), shall be entitled to be paid by the Minister compensation for such pecuniary loss, to be determined by the Treasury, subject to appeal to such standing arbitrator or board of arbitration as aforesaid, in accordance with the provisions contained in section one hundred and twenty of the Local Government Act, 1888, relating to compensation to existing officers, and those provisions shall apply accordingly as if they were herein re-enacted with the necessary modifications:

51 & 52 Vict. c. 41.

Provided that, in the case of any officer or servant who was appointed to his office as a specially qualified person at an age exceeding that at which public service usually begins, or of any officer or servant who suffers any loss of prospective superannuation or other retiring or death allowances as aforesaid, such addition may be made to the amount of compensation authorised under the said provisions as may seem just, having regard to the particular circumstances of such case: Provided further that the expression in subsection (1) of section one hundred and twenty of the Local Government Act, 1888, "the Acts and Rules

"relating to Her Majesty's Civil Service" shall mean the Acts and Rules relating to His Majesty's Civil Service which were in operation at the date of the passing of the Local Government Act, 1888.

(2) Any person formerly in the employment of the owners of an undertaking of which or of any part or plant of which possession is retained or taken under this Act, who on the date of the passing of this Act is, though not legally entitled thereto, in receipt of a pension or other superannuation allowance, shall continue to receive from the owners of such undertaking the same pension or allowance on the same terms and conditions as if this Act had not been passed.

(3) Any person who, at the date of the passing of this Act, was in the employment of the owners of an undertaking of which or of any part or plant of which possession is retained or taken under this Act and who, during the period of such possession, would, though not legally entitled thereto, in accordance with customary practice, be granted a pension or superannuation allowance by the owners of such undertaking, shall not be in any worse position in regard thereto by reason of the passing of this Act.

(4) This section shall apply to persons who are, or have been, members of the staff of the Railway Clearing House, or the Irish Railway Clearing House, or any railway conference, in like manner as if they were, or had been, officers or servants of an undertaking of which possession had been taken and the period of possession thereof had been the same as that of a railway undertaking, and to the Railway Clearing System Superannuation Fund, as if it was a pension or superannuation fund established in connexion with an undertaking of which possession has been taken, and as if payments and contributions heretofore made by railway companies thereto were contributions payable by the owners of the undertaking.

Claims against and by the Minister in respect of exercise of powers.

8.—(1) Where at the end of the period of possession by the Government of any undertaking or of any part or plant of an undertaking the value of the undertaking on a revenue-earning basis has been reduced or enhanced as compared with the value at the commencement of such period, or where during that period the income thereof has been reduced or enhanced, after taking into account in either case—

(*a*) any capital expenditure by the owners of the undertaking on any works brought into use in the interval; and

(*b*) the natural growth of traffic on the undertaking,

then, if and so far as such reduction or enhancement is due to the exercise by the Minister during that period upon the undertaking in question of the powers under section three of this Act

(including such powers as have been hitherto exercised by the Board of Trade as mentioned in paragraph (1) (*a*) of that section) the owners of the undertaking shall, unless such reduction or enhancement is otherwise provided for by the compensation mentioned in paragraph (1) (*a*) of that section, be entitled to be recouped, or liable to pay, the amount by which that value has been so reduced or enhanced, and if any question arises as to such amount or the liability to pay the same, or otherwise with respect to the financial relations between the Minister and any person affected by the exercise by the Minister of any of his powers under the said section, the question shall be determined by the Railway and Canal Commission having regard to all the circumstances of the case :

Provided that—

(i) no claim in respect of any loss alleged to be due to any direction issued by the Minister shall be entertained if the direction was issued with the concurrence of the owners of the undertaking; and

(ii) if, whilst an undertaking of which or of any part or plant of which possession has been taken remains in the possession of the Government, the State is authorised by Parliament to acquire the undertaking, nothing in this subsection restricting claims for enhancement attributable to the exercise by the Minister of such powers as aforesaid to cases where the value of the undertaking has been enhanced as compared with the value thereof at the commencement of the period of possession shall be held to affect, one way or the other, any question as to the principle on which the price to be paid on such acquisition is to be based.

(2) Without prejudice to any other form of payment or satisfaction, the Treasury, on the recommendation of the Minister, may, as or as part of the consideration for exercising any powers of control under the said section, guarantee the payment of any dividends or interest on any stock or other securities issued by the owners of an undertaking up to such amount as may be agreed, or the payment of any working expenses of the undertaking, and any sums required to fulfil any such guarantee shall be paid out of moneys provided by Parliament.

(3) Wherever the Minister has expended any sum in the capital improvement of any undertaking, the owners of the undertaking shall be liable to pay to the Minister the unexhausted value of such expenditure at the end of the beforementioned period, if and so far as such expenditure is not covered by the payments to be made by the owners under the preceding provisions of this section, and that value shall, in

default of agreement, be determined by the Railway and Canal Commission.

(4) The owners of the undertaking may satisfy any payment due from them under this section by creating a charge in favour of the Treasury upon the undertaking to such amount and in such form and with such priority as may be agreed, or, in case of difference, may be settled by the Railway and Canal Commission, who shall have due regard to the rights and interests of all parties concerned, but the charge so created shall in no case take priority to any capital raised by loan or debenture stock issued by the owners of the undertaking.

(5) Any claim by a railway company against the Government for compensation in respect of the exercise by the Board of Trade of any powers over or in respect of the undertaking in pursuance of section sixteen of the Regulation of the Forces Act, 1871, or with the consent of the railway company, or otherwise, may be determined by the Railway and Canal Commission in like manner as if it were a claim arising under this section, and the Minister was the person liable to satisfy the claim.

(6) The Minister shall indemnify, and keep indemnified, the owners of any undertaking of which or of any part of which, or of any plant of which possession has been retained or taken, and the owners of any harbour, dock or pier undertaking, against all actions, claims, and demands made in respect of loss or injury alleged to be caused by the carrying out of any directions given by the Minister under section three of this Act, or, as the case may be, any requirements contained in any order made by the Minister under section four of this Act:

Provided that, where the loss or injury is due to the breach of any contractual obligation, the Minister shall not be liable under this provision unless before carrying out the directions the owners of the undertaking have given written notice to the Minister of the existence of the obligation.

Power to establish transport services.

9.—(1) It shall be lawful for the Minister to establish, and either by himself or through any other person to work, transport services by land or water, and to acquire either by agreement or compulsorily such land or easements, to construct such works, and to do all such other things, as may be necessary for the purpose:

Provided that—

(i) no new transport service shall be established by the Minister until an estimate of the capital expenditure required to complete it, accompanied by details of the scheme for the establishment of the service, has been approved by the Treasury;

(ii) if in the case of any such service such estimate as aforesaid exceeds half a million pounds, or if the

establishment of any such service involves the acquisition of land or easements compulsorily, or the breaking up of any roads, the Minister shall not exercise his powers of establishing the service unless authorised to do so by Order in Council a draft whereof has been approved by a resolution passed by both Houses of Parliament, and the Order may incorporate the provisions of the Lands Clauses Acts, subject to such modifications as may be specified in the Order, being modifications of those Acts made or authorised to be made by the Development and Road Improvements Funds Act, 1909, or any other enactment, and the Order may also incorporate or apply any enactments relating to the construction and maintenance of the works in question;

(iii) where it appears to the Minister that the establishment of any such service could properly be undertaken by the owners of any existing undertaking, the Minister shall not himself establish the service without first giving to such owners an opportunity of establishing the service, and, where such an opportunity is given to the owners of an undertaking of which possession has been retained or taken under section three of this Act, and those owners prefer that the establishment of the service should be undertaken by themselves rather than by the Minister, they may require the Minister to give them directions under that section to that effect, but shall not be deemed to have thereby concurred in those directions; and

(iv) the Minister shall not, after two years from the passing of this Act unless Parliament otherwise determines, commence the construction of any new works, or provide equipment for any transport service not established before that date.

(2) The Minister or other person working a service established under this section may charge such rates, fares, tolls, and charges in connexion therewith as may be prescribed by the Minister, subject to reference to the Advisory Committee on Rates hereinafter established, and the expenses of working such services shall be paid out of the revenues derived therefrom, and the Minister shall keep or cause to be kept such accounts of the receipts from and expenditure on the services and in such form, and those accounts shall be audited in such manner as the Treasury may prescribe.

Extraordinary traffic.

10. Any transport service on roads established by the Ministry shall be subject to the provisions relating to extra-

ordinary traffic contained in the Highways and Locomotives (Amendment) Act, 1878, or in Scotland the Roads and Bridges (Scotland) Act, 1878, or in Ireland the Public Roads (Ireland) Act, 1911, (as amended by any subsequent enactment). 41 & 42 Vict. c. 77. 41 & 42 Vict. c. 51. 1 & 2 Geo. 5. c. 45.

Appeal as to bridges.

11. An appeal shall lie to the Minister in respect of any restriction upon any traffic passing over or seeking to cross any bridge or culvert, and the Minister shall have power, notwithstanding any provision in any other statute, to make such order as he may think fit concerning the strengthening, standard of maintenance, and maintenance of any bridge or culvert, the traffic using it or seeking to use it, and apportionment of any expenditure involved, but no order made by the Minister under this section shall enlarge the pecuniary liability of any railway or canal company or impose any new liability upon any such company.

Provisions as to new routes for omnibuses. 6 & 7 Geo. 5. c. 12.

12. Section twenty of the Local Government (Emergency Provisions) Act, 1916 (which relates to the establishment of new routes for omnibuses), shall continue in force until the expiration of two years after the passing of this Act, and shall have effect as if—

(*a*) the following provision was substituted for subsection (2) of the section (that is to say) :—

> (2) Except as provided in subsection (4), this section shall not be deemed to detract from any existing powers of highway authorities in regard to omnibuses.

(*b*) the following subsection was added to the section (that is to say) :—

> (4) Where, upon application for a licence to ply for hire with an omnibus, the licensing authority either refuses to grant a licence or grants a licence subject to conditions, in either case the applicant shall have a right of appeal to the Minister of Transport from the decision of the licensing authority, and the Minister shall have power to make such order thereon as he may think fit, and such order shall be binding upon the licensing authority.

Powers as to railway wagons.

13.—(1) It shall be lawful for the Minister to purchase privately-owned railway wagons required for use on any railway on such terms and conditions as may be authorised by or under an Order in Council, a draft whereof has been approved by a Resolution passed by both Houses of Parliament, and to work or lease any such wagons when so purchased, or to apportion them among the several railway undertakings in such manner, on such terms, and subject to such conditions as may be provided by or under the Order:

Provided that the Minister shall not be entitled to purchase in England and Wales, or Scotland, or Ireland, respectively, wagons used for the conveyance of any particular class of traffic unless he purchases all privately-owned wagons so used which belong to or are used by persons carrying on business therein, and which comply with the regulations with respect to such wagons in force at the date of such purchase.

(2) Where, in the case of any wagon which has been in use on or before the fifteenth day of May, nineteen hundred and nineteen, the wagon has since that date been the subject of a purchase agreement, the price paid on such purchase shall not be evidence of the value of the wagon in determining the price to be paid by the Minister.

(3) Where the Minister has, in pursuance of his powers under this section, purchased any wagon, any contract then in force for the repair of the wagon shall upon the purchase be determined, unless otherwise agreed with the Minister.

(4) Where the Minister exercises his powers of purchasing wagons under this section, or of prohibiting or restricting the use of privately-owned wagons, or of limiting the number of wagons to be so used, the following provisions shall have effect:—

17 & 18 Vict. c. 31.

(*a*) The reasonable facilities which every railway company is required to afford under section two of the Railway and Canal Traffic Act, 1854, as amended or explained by any other Act, shall, where the railway wagons of traders of any class have been purchased, include the provision of suitable railway wagons for the use of traders of that class, and it shall be the duty of the Minister so to exercise his powers of working or disposing of the wagons purchased by him as to enable the railway companies to fulfil their obligations under this provision as fully as may be practicable:

(*b*) Where the provision of wagons is not included in the authorised maximum rates of conveyance, a railway company may charge for the use of such wagons such sums as may be directed by the Minister under section three of this Act, and, if and so far as no such directions are in force, any sums not exceeding those prescribed for the use of such wagons by any Railway Rates and Charges Order applicable thereto:

(*c*) Notwithstanding the provisions of any other Act or any decision thereunder, in determining what sum may be charged under the provisions of any Railway Rates and Charges Order for the detention of wagons at the premises of any trader, regard shall be had to the requirements and reasonable usages of the trade carried on at those premises in connexion with which such wagons are used.

(5) Notwithstanding any statutory or other provision to the contrary, it shall be lawful for the Minister to make regulations prohibiting or restricting the use on railways of privately-owned wagons or limiting the number of wagons to be so used and prescribing the type and capacity thereof:

Provided that nothing in this Act shall authorise the prohibition of the use on railways of such wagons as comply with regulations for the time being in force made in pursuance of the Railways Clauses Consolidation Act, 1845, the Railways Clauses Consolidation (Scotland) Act, 1845, or any other enactment in force at the date of the passing of this Act, and as are in use, under repair, or in course of construction at that date.

7 & 8 Vict. c. 20. 7 & 8 Vict. c. 33.

14.—(1) Any capital sum payable under this Act for reduction in the value of an undertaking, or for the purchase of privately-owned railway wagons, or any interest therein, may be discharged in whole or in part, if the Treasury so direct, by the issue of securities, and the amount of such securities equivalent to such capital sum shall, in default of agreement, be determined by the Railway and Canal Commission.

Power to discharge capital liabilities by issue of stock.

For that purpose the Treasury may create and issue securities which shall bear interest at such rate and shall be subject to such conditions and regulations as to repayment, redemption, or otherwise as the Treasury may direct or prescribe, and the regulations may apply with the necessary modifications any of the enactments relating to local loans stock; the interest on any such securities as aforesaid shall—

(*a*) in the case of securities issued for the purchase of railway wagons, be charged on the revenues derived from the wagons so acquired after payment thereout of working expenses, and, if and so far as such revenues are insufficient, on the Consolidated Fund of the United Kingdom or the growing produce thereof; and

(*b*) in the case of other securities, be charged on the Consolidated Fund of the United Kingdom or the growing produce thereof.

(2) Where the whole or any part of the purchase money for the interest in railway wagons belonging to a wagon finance company is discharged by the issue to the company of such securities as aforesaid, and the company in consequence of the exercise by the Minister of his powers under this Act of purchasing railway wagons is wound up voluntarily, the liquidator may present to the court having jurisdiction to wind up the company a scheme for the discharge in whole or in part of the liabilities of the company to the holders of debentures or debenture stock of the company by means of the transfer to them of an amount of the securities so issued to the company, and, if the court sanctions the scheme, those liabilities may be discharged accordingly.

For the purpose of this subsection, "wagon finance company" means a company whose principal business is the advance of money to colliery companies and other persons for the purpose of the acquisition by them of railway wagons.

Incorporation of certain sections.

15. An order made by the Minister authorising the owners of any railway undertaking to acquire any land (including easements), and to construct any works, or an Order in Council authorising the Minister to acquire land compulsorily for the purpose of a railway, shall incorporate sections seventy-seven to eighty-five of the Railways Clauses Consolidation Act, 1845, or, in Scotland, sections seventy to seventy-eight of the Railways Clauses Consolidation (Scotland) Act, 1845 (which relate to the working of mines), subject to any statutory modifications thereof then in force.

Amendment of Special Acts (Extension of Time) Act, 1915. 5 & 6 Geo. 5. c. 72.

16. The period of three years and six months from the passing of this Act shall be substituted for the period specified in section two, subsection (3), of the Special Acts (Extension of Time) Act, 1915, with respect to all undertakings of which possession is retained or taken under this Act.

Power to make advances for certain purposes.

17.—(1) The Minister may, subject to the approval of the Treasury, make advances out of the moneys provided by Parliament to any authority, company or person, either by way of grant or by way of loan, or partly in one way and partly in another, and upon such terms and conditions as he thinks fit for any of the following purposes:—

(*a*) The construction, improvement or maintenance of railways, light railways, or tramways:

(*b*) The construction, improvement or maintenance of roads, bridges, or ferries:

(*c*) The construction, improvement or maintenance of harbours, docks or piers:

(*d*) the construction, improvement or maintenance of canals or inland navigations:

(*e*) The promotion and improvement of transport services by land or water:

And the power of the Treasury on the recommendation of the Development Commissioners to make advances for any of the purposes aforesaid shall cease and determine, except as respects advances for the construction, improvement, or maintenance of harbours in connexion with the improvement and development of fisheries, in which case the Development Commissioners shall consult with the Minister before reporting on any application referred to them:

Provided that the Minister shall not make an advance exceeding one million pounds at any one time for the purpose of any work, unless specially authorised to do so by a Resolution of the House of Commons.

(2) For the purpose of advances for the construction, improvement, or maintenance of roads, the Minister may, after consultation with the Roads Committee hereinafter referred to and the local authorities affected, classify roads in such manner as he thinks fit, and may, by agreement with the local authority, defray half the salary and establishment charges of the engineer or surveyor to a local authority responsible for the maintenance of such roads, subject to the condition that the appointment, retention, and dismissal of such engineer or surveyor, and the amount of such establishment charges, shall be subject to the approval of the Minister.

Accounts, statistics, and returns.

18. For the period of two years after the passing of this Act it shall be the duty of the owners of any railway, light railway, tramway, canal, inland navigation, dock, harbour, or pier undertaking, and the authority or person liable to maintain any public highway or bridge, to furnish to the Minister, in such manner and form as he may direct, such accounts, statistics, and returns as he may require for the purpose of his powers and duties under this Act.

Provisions as to the Railway and Canal Commission. 51 & 52 Vict. c. 25.

19. The provisions of the Railway and Canal Traffic Act, 1888, as amended by any subsequent enactment, relating to the procedure for the determination of questions by the Commission under that Act, including the provisions relating to appeals, shall apply to the determination of questions referred to the Commission under this Act, as if they were herein re-enacted and in terms made applicable to this Act:

Provided that—

(*a*) the Commission may, in any case in which they think it expedient to do so, call in the aid of one or more assessors, specially qualified, and hear the case wholly or partially with the assistance of such assessors;

(*b*) the Commission may hold a local inquiry for the purposes of this section by any one of their members, or by any officer of the Commission or other person whom they may direct to hold the same, and the said provisions of the Railway and Canal Traffic Act, 1888, except the provisions relating to appeals, shall, so far as applicable, apply to such inquiries, and any officer or person directed to hold an inquiry shall have power to administer oaths and shall report the result of the inquiry to the Commission;

(*c*) the discretion of the Commission with respect to costs shall not be limited in the manner provided by section two of the Railway and Canal Traffic Act, 1894.

Power to hold inquiries.

20.—(1) The Minister may hold such inquiries as he considers necessary or desirable for the purposes of this Act, and the Minister, and, if authorised by the Minister, the person appointed to hold any such inquiry, may by order require any person, subject to the payment or tender of the reasonable expenses of his attendance, to attend as a witness and give evidence or to produce any documents in his possession or power which relate to any matter in question at the inquiry, and are such as would be subject to production in a court of law, and, if any person fails without reasonable excuse to comply with any of the provisions of any such order, he shall be liable, on summary conviction, to a fine not exceeding five pounds, and the person holding the inquiry shall have power to take evidence on oath and for that purpose to administer oaths.

(2) Notices of inquiries may be given and published in accordance with such general or special directions as the Minister may give.

(3) The powers of the Minister under this section shall be in addition to and not in derogation of any powers of holding inquiries transferred to him from any other Government Department under this Act.

Rates advisory committee.

21.—(1) For the purpose of giving advice and assistance to the Minister with respect to and for safeguarding any interests affected by any directions as to rates, fares, tolls, dues, and other charges or special services, a committee shall be appointed consisting of five persons, one being a person of experience in the law (who shall be chairman) nominated by the Lord Chancellor, two being representatives of the trading and agricultural interests nominated by the Board of Trade, after consultation with the Associated Chambers of Commerce, the Central Chamber of Agriculture, and other interests concerned, one being a representative of transportation interests nominated by the Minister, one being a representative of labour interests nominated by the Minister of Labour, after consultation with the Parliamentary Committee of the Trades Union Congress and other interests concerned, together with, if deemed advisable, one additional member who may at the discretion of the Minister be nominated from time to time by him.

(2) Before directing any revision of any rates, fares, tolls, dues, or other charges, or of any special services, the Minister shall refer the matter to the committee for their advice, and they shall report thereon to him, and, where such revision is for the purpose of an increase in the net revenue of any undertakings which the Minister determines to be necessary, the committee shall also advise as to the best methods of obtaining such increase from the different classes of traffic, having due regard to existing contracts and the fairness and adequacy of the methods proposed to be adopted. Before prescribing the limits of rates, tolls, or charges in connexion with a new transport service established under section nine of this Act, the

Minister shall refer the matter to the Committee for their advice.

(3) The committee, before reporting or advising on any matters referred to them under this section, shall, unless in their discretion they consider it unnecessary or undesirable to do so, give such public notice as they think best adapted for informing persons affected of the date when and the place where they will inquire into the matter, and any persons affected may make representations to the committee, and, unless in their discretion the committee consider it unnecessary, shall be heard at such inquiry, and, if the committee in their discretion think fit, the whole or any part of the proceedings at such inquiry may be open to the public:

Provided that, for the purpose of this provision, the council of any city, borough, burgh, county, or district shall be deemed to be persons affected in any case where such council or any persons represented by them may be affected by any such proposed revision as aforesaid.

(4) The committee shall hear such witnesses and call for such documents and accounts as they think fit, and shall have power to take evidence on oath, and for that purpose any member of the committee may administer oaths.

(5) There shall be paid out of moneys provided by Parliament to all or any of the members of the committee such salaries or other remuneration as the Minister, with the consent of the Treasury, may determine.

(6) For the purposes of this section, "special services" means the services mentioned in section five of the schedule to the orders relating to railway rates and charges, and in the corresponding sections of the schedules to the orders relating to canal tolls, rates and charges, confirmed by various Acts passed in the years eighteen hundred and ninety-one to eighteen hundred and ninety-four.

Roads advisory committee.

22.—(1) For the purpose of giving advice and assistance to the Minister with respect to and for safeguarding any interests affected by the exercise of the powers and the performance of his duties under this Act in relation to roads, bridges and vehicles and traffic thereon, a committee (hereinafter referred to as the Roads Committee) shall be appointed.

(2) The Roads Committee shall consist of not less than eleven members, of whom five shall be representative of highway authorities, appointed after consultation with such authorities, and five shall be representative of the users of horse and mechanical road traffic, appointed after consultation with the interests concerned, and one shall be a representative of labour appointed after consultation with the interests concerned.

(3) The chairman shall be elected by the members of the Committee from among their own number and the secretary of the Roads Committee shall be appointed by the Minister.

(4) The Roads Committee may make regulations as to their procedure and method of voting, and may at their discretion consider and report to the Minister upon any matters affecting the construction, improvement, or maintenance of roads or bridges or the regulation of traffic thereon.

Advisory committees.

23.—(1) For the purpose of giving advice and assistance to the Minister in connexion with the exercise and performance of his powers and duties, the Minister shall set up a panel of experts, and of impartial persons of wide commercial and trading experience, appointed from nominees, after consultation with the various undertakings and interests concerned, of the various classes of undertakings affected by this Act, and of labour, trading interests, local authorities, and such other interests as he may deem desirable.

(2) Before exercising any of the powers under subsection (1) (*b*) of section three of this Act, to the exercise of which the owners of the undertaking concerned object, or establishing new transport services by land or water, the Minister shall refer the matter to a committee selected by him from the said panel.

(3) The advisory panel or any committee to whom any matter is referred under this section shall, before reporting or advising, if they see fit, give public notice and permit any person affected or likely to be affected to place his views before them either orally or in writing.

(4) Any member of the advisory panel, or any committee thereof, or of any other committee established under this Act, for giving advice and assistance to the Minister, shall be considered to be acting entirely in a confidential capacity.

Consent of local authority.

24. Nothing in this Act shall be construed as giving power to the Minister to impose any conditions upon a local authority which shall entail expenditure without consent of such local authority, or of the Minister of Health, or in Scotland the Secretary for Scotland, or in Ireland the Local Government Board for Ireland.

Staff and remuneration.

25.—(1) The Minister may appoint such secretaries, officers, and servants of the Ministry as the Minister may, subject to the consent of the Treasury as to number, determine:

Provided that there shall not be more than one paid parliamentary secretary of the Ministry.

(2) There shall be paid out of moneys provided by Parliament to the Minister an annual salary not exceeding five thousand pounds, and to the parliamentary secretary of the Ministry an annual salary not exceeding fifteen hundred pounds, and to the other secretaries, officers, and servants of the Ministry such salaries or remuneration as the Treasury may from time to time determine.

(3) The expenses of the Ministry, to such amount as may be sanctioned by the Treasury, shall be paid out of moneys provided by Parliament.

(4) There shall be transferred and attached to the Ministry such of the persons employed under any other Government Department in or about the execution of the powers and duties transferred by or under this Act to the Minister, as the Minister and the other Government Department, with the sanction of the Treasury, may determine.

(5) The Minister may from time to time distribute the business of the Ministry amongst the several persons transferred or attached thereto in pursuance of the foregoing provisions of this section in such manner as he may think right, and those officers shall perform such duties in relation to that business as may be directed by the Minister:

Provided that such persons shall be in no worse position as respects the tenure of office, salary or superannuation allowances than they would have been if this Act had not been passed.

Seal, style and acts of Minister.

26.—(1) The Minister may sue and be sued in respect of matters, whether relating to contract tort or otherwise arising in connexion with his office, by the name of the Minister of Transport, and may for all purposes be described by that name and shall be responsible for the acts and defaults of the officers and servants and agents of the Ministry in like manner and to the like extent as if they were his servants, and costs may be awarded to or against the Minister.

(2) The Minister shall have an official seal, which shall be officially and judicially noticed, and shall be authenticated by the signature of the Minister, or of a secretary, or any person authorised by the Minister to act in that behalf.

(3) For the purpose of acquiring and holding land, the Minister for the time being shall be a corporation sole by name of the Minister of Transport, and all land vested in the Minister shall be held in trust for His Majesty for the purposes of the Ministry of Transport.

(4) Upon and by virtue of the appointment of any person to be Minister, the benefit of all deeds, contracts, bonds, securities or things in action vested in his predecessor at the time of his predecessor ceasing to hold office, shall be transferred to and vested in and enure for the benefit of the person so appointed, in the same manner as if he had been contracted with instead of his predecessor, and if his name had been inserted in all such deeds, contracts, bonds or securities instead of the name of his predecessor.

(5) Subsections (2) to (4) of section eleven, and subsections (2) and (3) of section twelve of the New Ministries and Secretaries Act, 1916, shall apply to the Minister and the Ministry of Transport and to the office of Minister of Transport in like manner as they apply to the Ministers and Ministries mentioned in those sections. 6 & 7 Geo. 5. c. 68.

Ability of Minister and secretaries

27.—(1) The office of Minister of Transport, or of secretary in the Ministry of Transport, shall not render the holder thereof

to sit in Parliament.

incapable of being elected to or sitting or voting as a member of the Commons House of Parliament.

(2) The person who is first appointed to be Minister shall not by reason of such appointment, if a member of the Commons House of Parliament, vacate his seat as such member.

Provisions as to Orders in Council.

28.—(1) Before any Order in Council under this Act is made, notice of the proposal to make the Order and of the place where copies of a draft of the Order can be obtained shall be published in the London, Edinburgh, and Dublin Gazette, as the case may require, and in such other manner as the Minister thinks best adapted for ensuring publicity.

(2) An Order in Council under this Act may be altered or revoked by a subsequent order.

Provision as to orders and Orders in Council relating to the acquisition of land and the construction of works.

29.—(1) The Minister may make rules in relation to matters preliminary to the making of Orders and Orders in Council under this Act which authorise the acquisition of land or easements, or the breaking up of roads and the construction of works, including the publication of notices and advertisements, and the deposit of plans and sections and books of reference to those plans, and the manner in which and the time within which representations or objections are to be made, and to the holding of local enquiries.

Any rules so made shall be laid before Parliament as soon as they are made and shall have the same effect as if enacted in this Act: Provided that, if an Address is presented to His Majesty by either House of Parliament within twenty-one days on which that House has sat next after any such rules are so laid praying that any such rule may be annulled, His Majesty may annul the rule, and it shall thenceforth be void, but without prejudice to the validity of anything done thereunder.

(2) The rules of procedure set out in the Second Schedule to this Act shall apply to the making of any Order under paragraph (*d*) of subsection (1) of section three of this Act and of any draft of an Order in Council to be submitted to Parliament under section nine of this Act.

(3) The Minister on publication of notice of a proposal to make an order under paragraph (*d*) of subsection (1) of section three of this Act shall, except as hereinafter provided, send to the Chairman of Committees of the House of Lords and the Chairman of Ways and Means in the House of Commons a copy of the draft Order, and if within fourteen days of the receipt of the copy, if Parliament is then sitting, or within one month thereof if Parliament is not then sitting, either such Chairman reports to the Minister that he is of opinion that the proposals of the draft Order are of such a character or magnitude that they ought not to be proceeded with without the authority of Parliament, the Minister shall not make the Order unless or until the draft Order has been approved by a Resolution passed by both Houses of Parliament, and, if the Resolution of either

House directs that the proposals shall be dealt with by Private Bill and not by such Order as aforesaid, notices published and served and deposits made for the purpose of the proposed Order shall, subject to standing order, be held to have been published, served and made for a Private Bill applying for similar powers :

Provided that this subsection shall not apply to any Order with respect to which the Minister certifies that the acquisition of the land or easements authorised to be acquired thereunder and the works authorised to be constructed thereunder do not involve an estimated expenditure exceeding one million pounds, nor to any Order of any class which may be exempted from the provisions of this subsection by rules made by the said chairman.

Short title and interpretation.

30.—(1) This Act may be cited as the Ministry of Transport Act, 1919.

(2) In this Act, unless the context otherwise requires,

The expression "Government Department" includes any Government Department and any Minister of the Crown acting as the head of a Government Department, and for the purposes of this Act the Road Board and the Lord Lieutenant and the Privy Council of Ireland, the Commissioners of Public Works in Ireland, and the Congested Districts Board for Ireland and the Commissioners of the Caledonian Canal and the Commissioners of the Conservancy of the River Mersey shall be deemed to be Government Departments ;

The expression "tramway" includes a trackless trolley vehicle system ;

The expression "easement" includes any right in or over land ;

The expression "undertaking" includes any services carried on as ancillary to the principal business of the undertaking ;

The expression "transport services by water" shall not include any transport service by sea other than such as is, or could under their existing statutory powers, or any extension thereof which may hereafter be authorised by Parliament, be established by the owners of any undertaking of which the Minister is for the time being in possession under this Act.

Where an undertaking is leased to or worked by a company or person other than the owners, the expression "the owners of an undertaking" shall include that company or person, except where such an interpretation is inconsistent with the terms of the lease or working agreement, and except for the purposes of the provisions of this Act relating to payments to be made to or by the owners of an undertaking in respect of any reduction or enhancement of the value of the undertaking.

SCHEDULES.

Section 2.

FIRST SCHEDULE.

TRANSITORY PROVISIONS.

1. In the construction and for the purposes of any Act of Parliament, any judgment, decree, order, award, deed, contract, regulation, byelaw, or other document passed or made before the transfer to the Minister or Admiralty or Secretary of State from any other Government Department of any powers or duties by or under this Act, but so far only as may be necessary for the purpose of such transfer, the name of the Minister or Admiralty or Secretary of State shall be substituted for the name of the other Government Department.

2. Where anything has been commenced by or under the authority of any other Government Department before the transfer to the Minister or Admiralty or Secretary of State of any powers or duties by or under this Act, and such thing is in relation to the powers or duties so transferred, such thing may be carried on and completed by or under the authority of the Minister or Admiralty or Secretary of State.

3. Where at the time of the transfer of any powers or duties by or under this Act any legal proceeding is pending to which any Government Department is a party, and such proceeding has reference to the powers and duties transferred by or under this Act, the Minister or Admiralty or Secretary of State shall be substituted in such proceeding for the other Government Department, and such proceeding shall not abate by reason of the substitution.

Sections 9 and 29.

SECOND SCHEDULE.

1.—(1) Before any Order under section 3 (1) (*d*) of this Act is made, or any draft Order in Council under section 9 of this Act is submitted to Parliament, notice shall be published in such manner as the Minister may think best adapted for informing persons affected of the proposal to make the Order or Order in Council, and of the place or places where copies of the draft Order or Order in Council may be obtained, and of the place or places where plans of any lands (including easements) proposed to be compulsorily acquired, and plans and sections of any works proposed to be constructed and books of reference to those plans may be inspected and of the time (which shall be not less than twenty-one days) within which any objection made with respect to the draft by or on behalf of persons affected must be sent to the Minister.

(2) Every objection must be in writing, and state—

(*a*) the specific grounds of objection; and

(*b*) the omissions, additions, or modifications asked for.

(3) The Minister shall consider any objection made by or on behalf of any person, being in the case of a draft Order a person affected, and in the case of a draft Order in Council a person whose property will be injuriously affected by reason of the acquisition of the land or the construction of the proposed works, if the objection is sent to the Minister within the required time, and may, if thought fit, amend the draft, and shall then cause the amended draft to be dealt with in like manner as an original draft.

(4) Where the Minister does not amend or withdraw a draft to which any objection has been made, then (unless the objection either is withdrawn or appears to him to be frivolous) he shall before making the Order or submitting the draft Order in Council to Parliament direct an inquiry to be held in the manner hereinafter provided, and may, after considering the report of the person who held the inquiry, make the Order or submit the draft Order in Council to Parliament either without modification or subject to such modification as he may think fit, or may refuse to make the Order or submit the draft Order in Council to Parliament.

2.—(1) The Minister may appoint a competent and impartial person to hold an inquiry with regard to any draft and to report to him thereon.

(2) The inquiry shall be held in public, and any person who being entitled to do so has duly made an objection, may appear at the inquiry either in person or by counsel, solicitor, or agent.

(3) The witnesses on the inquiry may, if the person holding it thinks fit, be examined on oath.

(4) Subject as aforesaid, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with rules made by the Minister.

(5) The fee to be paid to the person holding the inquiry shall be such as the Minister may direct.

CHAPTER 51.

An Act to provide for checking the Weight or Measurement of Materials produced, handled, or gotten by Workmen paid by weight or measure in certain Industries. [15th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Right of workmen to check weights in certain industries.

1.—(1) The workmen engaged in any industry to which this Act applies and paid according to the weight of material produced, handled, or gotten by them shall, notwithstanding any agreement to the contrary, have a right to check the weighing of the material or to test the accuracy of the estimated weight of the material in manner provided by this Act or by regulations made thereunder.

(2) The industries to which this Act applies are—

(*a*) The production or manufacture of iron or steel, including any process of founding, converting, casting, rolling, or otherwise finishing iron or steel;

(*b*) The loading or unloading of goods, whether as cargo or stores, into and from vessels;

(*c*) The getting of chalk or limestone from quarries;

(*d*) The manufacture of cement and lime;

(*e*) Any other industry to which the provisions of this Act may be extended by regulations made by the Secretary of State.

Manner in which weights may be checked or tested.

2.—(1) The manner in which the workmen engaged in any industry to which this Act applies may exercise their powers of checking the weights or testing the estimated weights shall, as respects the industries mentioned in the First Schedule to this Act, be such as is provided by the regulations applicable to those industries respectively set forth in that schedule, and as respects any industry to which the provisions of this Act may be extended by regulations of the Secretary of State, be such as may be provided by those regulations:

Provided that the regulations set forth in the First Schedule to this Act may be varied by regulations made by the Secretary of State.

(2) Where under the regulations contained in the First Schedule to this Act, or made by the Secretary of State, the workmen are authorised to appoint a checkweigher, the checkweigher shall be entitled to station himself at any place appointed for the weighing of material in order that he may on behalf of the workmen by whom he is appointed take a correct account of the weight of the material, and the employer shall afford to him all proper facilities for enabling him to fulfil his duties, including facilities for examining and testing all weighing machines and checking the tareing of wagons in which the material is weighed.

(3) Where under the regulations contained in the First Schedule to this Act, or made by the Secretary of State, the workmen are entitled to appoint a checkweigher or other representative, the appointment shall be made and revoked and evidence of the appointment furnished to the employer in such manner as the Secretary of State may prescribe, and the provisions of the Coal Mines Regulation Acts, 1887 to 1908, relating to the powers, duties, removal, and remuneration of checkweighers, and the relations between employers and checkweighers, as set forth and adapted in the Second Schedule to this Act, shall apply to the checkweighers and other representatives so appointed.

Offences.

3.—(1) If any employer fails to comply with any of the requirements of this Act or the regulations made thereunder, he shall be guilty of an offence against this Act.

(2) Any person guilty of an offence against this Act for which no other penalty is provided shall on summary conviction be liable to a fine not exceeding five pounds, and to a fine not exceeding forty shillings for each day on which the offence is continued after conviction thereof.

(3) If an employer is charged with an offence against this Act, he shall be entitled, on information duly laid by him, to have any other person whom he charges as the actual offender brought before the court at the time appointed for the hearing of the charge, and if, after the commission of the offence has been proved, the employer proves to the satisfaction of the court that he has used due diligence to comply with the provisions of this Act, and of the regulations made thereunder, and that that other person has committed the offence in question without his knowledge, consent, or connivance, that other person shall be summarily convicted of the offence, and the employer shall be exempt from any fine, and the person so convicted shall in the discretion of the court be also liable to pay any costs incidental to the proceedings.

(4) If any person required to give any certificate or furnish any information or keep any books under this Act or the regulations made thereunder knowingly makes any false statement in any such certificate or furnishes any false information or falsifies any such book, he shall be guilty of a misdemeanour and liable to imprisonment, with or without hard labour, for a term not exceeding two years, or to a fine, or to both such imprisonment and fine.

(5) If any checkweigher or representative of workmen appointed under this Act, or the regulations made thereunder, divulges any trade secret or other information with regard to the employer's business, he shall be liable on summary conviction to imprisonment, with or without hard labour, for a term not exceeding six months or to a fine not exceeding twenty pounds, unless he proves that the trade secret did not come to his knowledge or the information was not acquired by him in the course of the exercise of his powers under this Act.

Intermittent weighing and checkweighing.

4.—(1) Where at any works the material on the weight of which wages are based is weighed at intervals and not continuously the employer shall give to the checkweigher (if any) reasonable notice of the time and place at which the weighing will take place.

(2) Where a checkweigher or other representative appointed under this Act, or the regulations made thereunder, attends at the place where the industry is carried on for the purpose of his duties at irregular intervals, he shall give the employer at least two days' notice of his intention to attend.

Provisions as to regulations. 1 Edw. 7. c. 22.

5.—(1) Sections eighty, eighty-one, eighty-four, and eighty-six of the Factory and Workshop Act, 1901, relating to regulations under that Act, as set out and adapted in the Third

Schedule to this Act, shall apply to the regulations under this Act.

(2) Printed copies of all regulations contained in or made under this Act for the time being in force with respect to the industry carried on by any employer shall be kept posted up in legible characters and in conspicuous places on the employer's premises, where they may be conveniently read by the workmen.

(3) A printed copy of all such regulations shall be given by the employer to any workman affected thereby on his application.

(4) If any employer fails to comply with any provision of this section as to posting up or giving copies, or if any person pulls down, injures, or defaces any regulations posted up in pursuance of this section, he shall be guilty of an offence against this Act.

Provisions as to arbitrations.

6. Any matter required to be submitted to arbitration under this Act, or the regulations made thereunder, shall, in accordance with regulations as to procedure and costs made by the Secretary of State, be referred to the decision of a single arbitrator appointed, in default of agreement, by the judge of county courts for the district, or in Scotland by the sheriff of the county, in which the employer's premises are situate.

Interpretation.

7.—(1) Where the workmen engaged in an industry to which this Act applies are paid according to the measure of material produced, handled, or gotten by them, the provisions of this Act shall apply in like manner as if the term "weighing" included measuring, and the terms relating to weighing shall be construed accordingly.

(2) For the purposes of this Act, the workmen engaged in removing the topsoil from chalk or limestone quarries preparatory to the getting of chalk or limestone shall be deemed to be workmen engaged in getting chalk or limestone.

(3) Where under the regulations contained in the First Schedule to this Act the workmen are entitled to appoint a checkweigher they may appoint one or more checkweighers.

(4) Where under the regulations contained in the First Schedule to this Act any matter may be determined by agreement between the employer and the workmen of any class, the agreement may be made between the employer and a majority of the workmen of that class, and when so made shall, whilst in force, be binding on all the workmen of that class, notwithstanding that any of the workmen may have ceased to be, and others may have become, workmen of that class.

(5) In this Act the expression "prescribed" means prescribed by the Secretary of State.

(6) In Scotland the expression "court of summary jurisdiction" means the sheriff.

8. This Act may be cited as the Checkweighing in Various Industries Act, 1919, and shall come into operation on the first day of September nineteen hundred and nineteen.

Short title and commencement.

SCHEDULES.

Sections 2 and 7.

FIRST SCHEDULE.

REGULATIONS AS TO CHECKING WEIGHTS AND TESTING ESTIMATED WEIGHTS APPLICABLE TO :—

1.—*The Production or Manufacture of Iron or Steel.*

1. Where the iron or steel produced or manufactured is weighed by the employer on the employer's premises, the workmen shall be entitled to appoint a checkweigher.

2. Where the iron or steel produced or manufactured is not so weighed, then—

(*a*) if the weight is calculated according to the weight of the materials used for the production or manufacture of the iron or steel and those materials are weighed on the employer's premises, the workmen shall be entitled to appoint a checkweigher to check the weighing ;

(*b*) if the weight is calculated in accordance with the capacity of the moulds in which the iron or steel is cast, the employer shall, on being required in the prescribed manner so to do by the workmen, or a majority of them, cause the capacity of the moulds to be periodically tested at such intervals (not being less than fourteen days) and in such manner as, in default of agreement between the employer and the workmen, may be settled by arbitration, and in such case the workmen may appoint a checkweigher to attend at the periodical testing ;

(*c*) if the weight is not so calculated, or if it is so calculated, but such periodical testing of the capacity of moulds is not reasonably practicable or would unreasonably interfere with the manner in which the process of manufacture is conducted, the weight shall be checked in such manner as, in default of agreement between the employer and the workmen, may be settled by arbitration, and, if any dispute arises between the employer and the workmen as to whether such periodical testing of the capacity of moulds as aforesaid is not reasonably practicable or would unreasonably interfere with the manner in which the process of manufacture is conducted, the dispute shall be referred to arbitration.

3. Where in pursuance of the foregoing regulations the weight of ingots is periodically tested, whether by testing the capacity of moulds or otherwise, the wages to be paid to the workmen shall be based on the weight ascertained by the test applied for the purpose until the weight is again tested.

4.—(1) Where the workmen engaged in the manufacture of tin plates from steel bars of a standard weight are paid according to the number of boxes of tin plates of a standard weight and a standard superficial area, the checkweigher appointed for the purpose of checking the weighing of the boxes of tin plates, may, if at any time he has reason to believe that the steel bars being used are of less than the standard weight, require the weight of the steel bars to be tested, and may himself attend at the testing.

(2) The manner in which the weight of steel bars is to be so tested in any works shall be that for the time being in force in the works, being such as may have been agreed upon between the employer and the workmen or, in default of agreement, may have been settled by arbitration.

II.—*The Loading or unloading of Goods into or from Vessels.*

1. The employer shall, as soon as may be after the information is available, furnish to the workmen or their representative or post up in some place convenient to the workmen a certificate in the prescribed form of the total weight of the goods loaded into or unloaded from the vessel.

2. If the accuracy of the certificate is questioned, the workmen or a majority of the workmen may appoint a representative to inquire into its accuracy, and the employer shall furnish to the representative such information and explanation as he may reasonably require for the purposes of the inquiry, and shall allow him access to all books and documents containing particulars on which the certificate is based.

3. Where workmen are employed by a stevedore, the information to be furnished by the stevedore to the representative of the workmen shall include a statement, signed by the person by whom the stevedore is employed, of the quantities on which the stevedore was paid, which statement such person as aforesaid shall furnish on being required so to do by the stevedore.

4. Where the goods loaded or unloaded are actually weighed by the employer at or near the place where the vessel is loaded or unloaded, the workmen entitled under this section to appoint a representative may instead thereof appoint a checkweigher, and in such case the foregoing regulations shall not apply.

III.—*The getting of Chalk and Limestone from Quarries.*

1. Where the chalk or limestone gotten is weighed on the premises of the employer, the workmen may appoint a checkweigher. If the right of appointing a checkweigher is not exercised, the workmen in charge of the wagons at the time that they are weighed may themselves check the weighing, and the workmen may appoint a representative to check the tareing of wagons, and the employer shall afford to such workmen and representative the same facilities for checking the weighing and tareing as he is required under this Act to afford to a checkweigher.

2. Where the chalk or limestone is not weighed, but its weight is estimated from the capacity of the wagons into which it is loaded—

(*a*) all the wagons shall be deemed to be of the same capacity unless the employer divides the wagons into classes, and, if so divided into classes, all wagons of each particular class shall be deemed

to be of the same capacity, and the capacity of all the wagons, or, if the wagons are divided into classes, the capacity of all the wagons of each class, shall be published either by being marked on the wagons or by a statement posted up in some conspicuous place on the employer's premises; and

(*b*) the workmen shall be entitled to have the capacity of the wagons tested by having such one wagon as they may select or, if the wagons are divided into classes, such one wagon of each class as they may select, weighed full and empty, and may appoint a representative to check the weighing, and the employer shall afford the representative all proper facilities for the purpose;

(*c*) where the capacity of wagons has been so tested as aforesaid, the workmen shall not be entitled to have the capacity of wagons again tested unless a new class of wagon is introduced;

(*d*) if at any time any dispute arises between the employer and any workman as to whether a wagon has been filled or not to its capacity, the workman shall have the right to have the wagon load weighed.

3. Where the limestone is not weighed nor its weight calculated on the employer's premises, but the limestone is weighed by the railway company or other person to whom it is consigned and accounts of the weight so ascertained are furnished to the employer, the employer shall, on being required so to do, allow a representative appointed by the workmen to inspect any such accounts specified in the requisition and received by the employer not more than fourteen days before the requisition is made.

IV.—*The Manufacture of Cement and Lime.*

1. Where the workmen are paid according to the weight of the clinker or lime produced or handled by them and the clinker or lime is weighed on the employer's premises, the workmen may appoint a checkweigher. If the right of appointing a checkweigher is not exercised, the workmen in charge of the wagons at the time that they are weighed may themselves check the weighing and require the records of the weighing to be produced to them, and the workmen may appoint a representative to check the tareing of wagons, and the employer shall afford to such workmen and representative the same facilities for checking the weighing and tareing as he is required under this Act to afford to a checkweigher.

2. The tares of wagons shall either be marked on the wagons or posted in some conspicuous place on the employer's premises.

3.—(1) Where the wages paid to workmen engaged in the manufacture of cement are adjusted from time to time on taking stock of the amount of cement manufactured at the works, the employer shall take stock at intervals of not less than six months, and when stock is so taken shall forthwith inform the workmen of the estimated amount of cement in store. If a majority of the workmen dispute the estimate and it is impracticable to ascertain by weighing or measuring the exact amount of the cement in store, the question in dispute shall be referred to arbitration.

(2) The employer shall also in any such case keep books in which shall be entered—

(*a*) the amount of cement sold and used in the works ;

(*b*) the amount of wages paid to the packers, if paid according to weight ;

(*c*) the amount of wages paid to the workmen ;

(*d*) the amount of cement ascertained or estimated to be in store when stock is taken :

(*e*) where substances are added to clinker when it goes into the mill and deductions are made in respect thereof, the amount of such substances bought, used, and in store on any stock-taking ;

(*f*) if any works where the produce of kilns worked by men whose wages are not subject to adjustment is mixed with the produce of kilns worked by men whose wages are subject to adjustment, the weight of material produced in the first-mentioned kilns ;

and, in making deductions for the purposes of adjustment, no greater deductions shall be allowed than are justified by the entries in those books.

(3) Whenever stock is taken for the purpose of the adjustment of the wages of any workmen, those workmen shall have a right to appoint a representative with a view to ascertaining whether any addition to or deduction from the wages should be made, and the employer shall furnish to the representative such information and explanation as he may reasonably require for the purpose, and shall allow him access to the books so kept, and the accounts, tallies, and other documents from which such books have been made out.

4. Where workmen engaged in the manufacture of lime are paid according to the weight of the lime produced, and the lime is not weighed nor its weight calculated on the employer's premises, but the lime is weighed by the railway company or other person to whom it is consigned and accounts of the weight so ascertained are furnished to the employer, the employer shall, on being required so to do, allow a representative appointed by the workmen to inspect any such accounts specified in the requisition and received by the employer not more than fourteen days before the requisition is made.

Section 2.

SECOND SCHEDULE.

APPLIED PROVISIONS OF THE COAL MINES REGULATION ACTS, 1887 TO 1908.

(1) *Coal Mines Regulation Act*, 1887.

(50 & 51 Vict. c. 58.)

13.—(3) A checkweigher or other representative of the workmen shall not be authorised in any way to impede or interrupt the carrying on

of the industry in which the workmen are engaged, or to interfere with the weighing, or with any of the workmen, or with the management of the industry; but shall be authorised only to exercise such powers as are by this Act or by the regulations made thereunder conferred upon him, and the absence of a checkweigher shall not be a reason for interrupting, or delaying the weighing, but the same shall be done by the person appointed in that behalf by the employer, unless the absent checkweigher had reasonable ground to suppose that the weighing would not be proceeded with: Provided always that nothing in this section shall prevent a checkweigher or other representative of the workmen giving to any workman an account of the material produced, handled, or gotten by him, or information with respect to the weighing, or the weighing machine, or the tareing of the wagons or other vehicles, or with respect to any other matter within the scope of his duties as checkweigher or other representative as aforesaid, so always, nevertheless, that the carrying on of the industry be not interrupted or impeded.

(4) If the employer desires the removal of a checkweigher or other representative of the workmen or, in the case of the appointment of a checkweigher or other representative for a temporary purpose, desires that the person so appointed should not be re-appointed as checkweigher or other representative on the ground that he has impeded or interrupted the carrying on of the industry or interfered with the weighing, or with any of the workmen, or with the management of the works, or has at the works to the detriment of the employer done anything beyond exercising such powers as aforesaid, he may complain to a court of summary jurisdiction, who, if of opinion that the employer shows a sufficient primâ facie case, shall call on the checkweigher or other representative to show cause why such an order as is herein-after mentioned should not be made.

(5) On the hearing of the case the court shall hear the parties, and, if they think that at the hearing sufficient ground is shown by the employer to justify the making of an order, shall make a summary order for the removal of the checkweigher or other representative or prohibiting him from being again appointed as checkweigher or other representative as the case may require, and he shall thereupon be removed or disqualified from again acting as checkweigher or other representative of the workmen, but in the case of an order for removal without prejudice to the appointment of another checkweigher or representative in his place.

(6) The court may in every case make such order as to the costs of the proceedings as the court may think just.

* * * * *

(8) If the person appointed by the employer to weigh any material impedes or interrupts the checkweigher in the proper discharge of his duties, or improperly interferes with or alters the weighing machine or the tare in order to prevent a correct account being taken of the weighing and tareing, he shall be guilty of an offence against this Act.

14.—(1) If a checkweigher or other representative of the workmen has been duly appointed by any class of workmen, and has acted as such, he may recover from any workman of that class his proportion of the checkweigher's or representative's wages or recompense, notwithstanding that any of the persons by whom the checkweigher or representative was appointed may have ceased to be and others may have become members of that class since the checkweigher's or

representative's appointment, any rule of law or equity to the contrary notwithstanding.

(2) It shall be lawful for the employer, where the majority of any such class of workmen so agree, to retain the agreed contribution of any member of the class for the checkweigher or other representative, notwithstanding the provisions of the Acts relating to truck, and to pay and account for the same to the checkweigher or other representative.

(2) *The Coal Mines (Check Weigher) Act*, 1894.

(57 & 58 Vict. c. 52.)

1. If an employer, or any person employed by or acting under the instructions of any such employer, interferes with the appointment of a checkweigher or other representative of the workmen, or refuses to afford proper facilities for the holding of any meeting for the purpose of making such appointment, in any case in which the persons entitled to make the appointment do not possess or are unable to obtain a suitable meeting place, or attempts, whether by threats, bribes, promises, notice of dismissal, or otherwise howsoever, to exercise improper influence in respect of such appointment, or to induce the persons entitled to appoint a checkweigher or other representative, or any of them, not to re-appoint a checkweigher or other representative, or to vote for or against any particular person or class of persons in the appointment of a checkweigher or other representative, the employer shall be guilty of an offence against this Act.

(3) *The Coal Mines (Weighing of Minerals) Act*, 1905.

(5 Edw. 7. c. 9.)

1.—(1) The power conferred by this Act on workmen to appoint a checkweigher or other representative of the workmen shall include power to appoint a deputy to act in his absence for reasonable cause, and the expressions "checkweigher" and "representative" when used in this Act shall include any such deputy during such absence as aforesaid.

* * * * *

(4) The facilities to be afforded to a checkweigher under this Act shall include provision for a checkweigher of a sufficient number of weights to test the weighing machine.

* * * * *

(6) The wages or recompense which a checkweigher or other representative may recover under this Act shall include expenses properly incurred by him in carrying out his work under this Act.

Section 5.

THIRD SCHEDULE.

APPLIED PROVISIONS OF THE FACTORY AND WORKSHOP ACT, 1901, WITH RESPECT TO REGULATIONS.

80.—(1) Before the Secretary of State makes any regulations under this Act, he shall publish, in such manner as he may think best adapted for informing persons affected, notice of the proposal to make the regulations, and of the place where copies of the draft regulations may

be obtained, and of the time (which shall be not less than twenty-one days) within which any objection made with respect to the draft regulations by or on behalf of persons affected must be sent to the Secretary of State.

(2) Every objection must be in writing and state—

(*a*) the draft regulations or portions of draft regulations objected to;

(*b*) the specific grounds of objection; and

(*c*) the omissions, additions, or modifications asked for.

(3) The Secretary of State shall consider any objection made by or on behalf of any persons appearing to him to be affected which is sent to him within the required time, and he may, if he thinks fit, amend the draft regulations, and shall then cause the amended draft to be dealt with in like manner as an original draft.

(4) Where the Secretary of State does not amend or withdraw any draft regulations to which any objection has been made, then (unless the objection either is withdrawn or appears to him to be frivolous) he shall, before making the regulations, direct an inquiry to be held in the manner herein-after provided.

81.—(1) The Secretary of State may appoint a competent person to hold an inquiry with regard to any draft regulations, and to report to him thereon.

(2) The inquiry shall be held in public, and any objector and any other person who, in the opinion of the person holding the inquiry, is affected by the draft regulations, may appear at the inquiry either in person or by counsel, solicitor, or agent.

(3) The witnesses on the inquiry may, if the person holding it thinks fit, be examined on oath.

(4) Subject as aforesaid, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with rules made by the Secretary of State.

(5) The fee to be paid to the person holding the inquiry shall be such as the Secretary of State may direct.

* * * * *

84. Regulations made under the foregoing provisions of this Act shall be laid as soon as possible before both Houses of Parliament, and, if either House within the next forty days after the regulations have been laid before that House resolve that all or any of the regulations ought to be annulled, the regulations shall, after the date of the resolution, be of no effect, without prejudice to the validity of anything done in the meantime thereunder, or to the making of any new regulations. If one or more of a set of regulations are annulled, the Secretary of State may, if he thinks fit, withdraw the whole set.

* * * * *

86.—(1) Notice of any regulations having been made under the foregoing provisions of this Act, and of the place where copies of them can be purchased, shall be published in the London, Edinburgh, and Dublin Gazettes.

* * * * *

(6) Regulations for the time being in force under this Act shall be judicially noticed.

CHAPTER 52.

An Act to grant Money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans. [19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grants for public works.

1.—(1) For the purpose of local loans, there may be issued by the National Debt Commissioners the following sums, namely:—

(*a*) For the purpose of loans by the Public Works Loan Commissioners, any sum or sums not exceeding in the whole the sum of forty million pounds;

(*b*) For the purpose of loans by the Commissioners of Public Works in Ireland, any sum or sums not exceeding in the whole the sum of two million pounds.

(2) The sums so issued shall be issued during a period ending on the day on which a further Act granting money for the purposes of those loans comes into operation, and in accordance with the provisions of the National Debt and Local Loans Act, 1887.

50 & 51 Vict. c. 16.

Certain debts not to be reckoned as assets of local loans fund.

2. Whereas it is expedient that the principal of the several local loans specified in the tables contained in Part I., Part II., and Part III. respectively of the Schedule to this Act should, to the extent specified in the last column of those Tables, not be reckoned as assets of the local loans fund established under the National Debt and Local Loans Act, 1887:

Now, therefore, the principal of the said loans to the extent aforesaid and the said sums shall be written off from the assets of the local loans fund, and the provisions of section fifteen of the said Act shall, so far as applicable, apply thereto.

Remission of arrears of principal and interest in respect of Eyemouth Harbour loan.

3. Whereas in pursuance of an agreement made in the year eighteen hundred and ninety-two the sum of ten thousand pounds was advanced by the Public Works Loan Commissioners to the Eyemouth Harbour Trustees on the security of the harbour revenues with the collateral security of the Fishery Board for Scotland:

And whereas by an arrangement confirmed by section three of the Public Works Loans Act, 1901, the liability of the Eyemouth Harbour Trustees in respect of the said loan was extinguished without prejudice to the liability of the Fishery Board for Scotland to repay the said loan, and, in consequence thereof, the said collateral security is the sole security for the repayment of the said loan:

1 Edw. 7. c. 35.

And whereas the terms of the said collateral security are embodied in a memorandum of agreement between the Secretary for Scotland and the Public Works Loan Commissioners, dated the eleventh day of March eighteen hundred and ninety-two, whereby a portion of the surplus herring brand fees, as defined in clause three of the said memorandum, was pledged in security for the repayment of the said loan with interest by the instalments and at the times mentioned in the security given by the Eyemouth Harbour Trustees for the said loan, and it was provided that the said portion of the surplus herring brand fees of any one year should only be applicable to the repayment of the one-fiftieth part of principal and interest on outstanding principal falling due under the security for the said loan in the same year, and should not be applicable to the repayment of arrears of principal:

And whereas the said portion of the surplus herring brand fees, so pledged as aforesaid, was in the year ending the thirty-first day of March nineteen hundred and nineteen insufficient to discharge in full the instalment of principal with interest which fell due under the security for the said loan in that year, and the principal sum of two hundred pounds, with interest amounting to one hundred and fifty-seven pounds seventeen shillings, now remains unpaid, and under the terms of the said memorandum of agreement is irrecoverable:

Now, therefore, the said principal sum of two hundred pounds shall be extinguished, and the said arrears of interest amounting to one hundred and fifty-seven pounds seventeen shillings shall be remitted.

4. This Act may be cited as the Public Works Loans Act, 1919. Short title.

SCHEDULE.

Section 2.

PART I.

LOANS BY THE PUBLIC WORKS LOAN COMMISSIONERS.

Loan under the Harbours and Passing Tolls Act, 1861 (24 & 25 *Vict. c.* 47).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ s. d.	£ s. d.
Eyemouth Harbour Trustees - -	10,000 0 0	200 0 0

PART II.

LOANS BY THE IRISH LAND COMMISSION.

Loans under the Purchase of Land (Ireland) Act, 1885 (48 & 49 *Vict. c.* 73).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ s. d.	£ s. d.
John Johnston - - - -	155 0 0	4 4 10
James Holt - - - -	43 0 0	3 1 8

PART III.

LOANS BY THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND.

Loans under the Drainage and Improvement of Lands (Ireland) Act, 1863 (26 & 27 *Vict. c.* 88).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ s. d.	£ s. d.
Mary Brown - - - -	28 5 3	3 4 1
Patrick Irwin, and - - -		
James Holmes - - - -		

CHAPTER 53.

An Act to make further provision for the administration of the enactments relating to Naval, Military and Air Force War Pensions, Grants and Allowances, and for certain other purposes connected with such Pensions, Grants and Allowances. [19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Administration of pensions, &c. under Injuries in War (Compensation) Acts, 4 & 5 Geo. 5. c. 30.

1.—(1) Where a scheme ramed under the Injuries in War (Compensation) Act, 1914, as amended by the Injuries in War (Compensation) Act, 1914 (Session 2), is to be administered by the Minister of Pensions—

(*a*) the provisions of the War Pensions Acts, 1915 to 1918, and any amendments thereof, except provisions

relating to separation allowances, shall apply to and in respect of the officers and men specified in such scheme as they apply to and in respect of officers and men in the naval service of His Majesty; and 5 & 6 Geo. 5. c. 18 (Session 2).

(*b*) Notwithstanding anything to the contrary in the said Injuries in War (Compensation) Acts, such scheme may be so framed as to provide that pensions, grants and other allowances in the nature thereof may be granted in the like circumstances and on the like terms and conditions as are set forth in the regulations annexed to any Order in Council relating to pensions under section three of the Naval and Marine Pay and Pensions Act, 1865, and administered by the Minister of Pensions. 28 & 29 Vict. c. 73.

(2) This section shall be deemed to have had effect as from the first day of May nineteen hundred and eighteen.

Information from employers.

2. The power of the Minister of Pensions under section fourteen of the War Pensions (Administrative Provisions) Act, 1918, to require information from employers and others for the purpose of ascertaining the pre-war earnings of a disabled person, shall be extended so as to include power to require information for the purpose of ascertaining the earning capacity of any such person and for ascertaining the pre-war earnings of a deceased person, and it shall be the duty of employers, and of any other person having knowledge thereof, to furnish any such information, and that section shall have effect accordingly.

Extension of power to pay pensions in advance.

3.—(1) Notwithstanding anything in any Act, Order in Council, Royal Warrant, or other order to the contrary, any pension administered by or under the authority of the Minister of Pensions, the Army Council, or the Air Council may, in special circumstances, be issued in advance for such period not exceeding six months, and subject to such conditions as may be prescribed by rules made by the Minister of Pensions, the Army Council, or the Air Council, as the case may be, with the approval of the Treasury.

(2) Nothing in this section shall affect any other right of issuing pensions in advance.

Further provision as to audit of accounts of committees. 8 & 9 Geo. 5. c. 57. 7 & 8 Geo. 5. c. 62.

4. Regulations made by the Minister under paragraph (*f*) of subsection (1) of section five of the War Pensions (Administrative Provisions) Act, 1918, may apply, with the necessary modifications, any of the provisions of the Third Schedule to the National Health Insurance Act, 1918 (which relates to the accounts of Insurance Committees and the audit of such accounts).

Provision in case of transference of powers as to training, &c.

5. In the event of any functions of the Minister of Pensions in relation to provision for the care of disabled officers and men after they have left the service, or for their health, training, or employment, being transferred by Order in Council, under any statutory powers, to any other Government department, the functions of local committees in relation to the matters transferred shall, except to such extent (if any) as may be arranged between the Ministry of Pensions and the Department to which the functions are transferred, cease and determine.

Application of 8 & 9 Geo. 5. c. 57. s. 13, to Ireland.

6. In the application to Ireland of section thirteen of the War Pensions (Administrative Provisions) Act, 1918 (which relates to the power of taking possession of land), the Commissioners of Public Works in Ireland shall be substituted for the Commissioners of Works.

Statutory right to pensions.

7. Every officer or man suffering from a disability attributable to or aggravated by naval, military, or air force service during the present war, and not due to his serious negligence or misconduct, shall be entitled to receive such pension, gratuity, or allowance as shall be awarded by the Minister of Pensions under any Warrant or Order in Council in respect of such disability, and for the payment whereof money shall have been provided by Parliament; but the award of any such pension, gratuity, or allowance shall be subject to the conditions contained in the Warrant or Order in Council.

Appeals to Pensions Appeal Tribunals.

8.—(1) Where the claim of an officer or man under any Royal Warrant or Order in Council administered by the Minister of Pensions is rejected on the ground that the disability on which the claim is based,

(*a*) is not attributable to or aggravated by service during the present war, or

(*b*) is due to the serious negligence or misconduct of the claimant;

or where such disability, although admitted to be aggravated by, is certified not to be attributable to such service; or where the claim of the widow or the motherless child of an officer or man under any such Royal Warrant or Order in Council is rejected on the ground

(i) that the death of the officer or man was not due to, or that the disease from which he died was not attributable to or aggravated by, such service, nor, in the case of a man, contracted or commenced while he was on active service, or

(ii) that the death of the officer or man was due to his serious negligence or misconduct,

an appeal shall lie to a Pensions Appeal Tribunal established under this section, whose decision shall be final, provided that

no appeal shall lie in the case of any claim already heard and rejected by a Ministry Appeal Tribunal.

(2) Pensions Appeal Tribunals shall be established for such parts of the United Kingdom as may be determined, in accordance with the provisions of the Schedule to this Act. The provisions of that schedule shall have effect in relation to the constitution, jurisdiction and procedure of Pensions Appeal Tribunals.

(3) "Ministry Appeal Tribunal" shall mean, as the case may be, an Officers' Appeal Board or a Pensions Appeal Tribunal set up by the Minister of Pensions before the first day of November nineteen hundred and nineteen.

(4) This section shall come into operation on the first day of November nineteen hundred and nineteen.

Extension of Acts.

9. Unless the context otherwise requires—

The expression "Royal Warrant" in this Act and in the War Pensions (Administrative Provisions) Act, 1918, shall include any Order under the Air Force (Constitution) Act, 1918; and

The provisions of the Naval and Military War Pensions, &c., Act, 1915, and any Act amending the same, including this Act, which are applicable to officers, shall extend so as to be applicable to nurses; and, accordingly in those Acts any reference to officers shall be construed as including a reference to nurses.

5 & 6 Geo. 5. c. 83.

Short title.

10. This Act may be cited as the War Pensions (Administrative Provisions) Act, 1919, and the War Pensions Acts, 1915 to 1918, and this Act may be cited together as the War Pensions Acts, 1915 to 1919.

SCHEDULE.

Section 8.

CONSTITUTION, JURISDICTION, AND PROCEDURE OF PENSION APPEAL TRIBUNALS.

1. Pensions appeal tribunals shall be constituted for such parts of, or places in, the United Kingdom as the Lord Chancellor, after consultation with the Minister of Pensions, may determine.

2. The members of each tribunal shall be appointed by the Lord Chancellor, and shall consist of—

(i) one legal representative, being a barrister or solicitor, in either case of not less than seven years' standing; and

(ii) a disabled officer who has retired or been demobilised from His Majesty's forces during the present war while suffering impairment; or a disabled man who has similarly been discharged or demobilised; and

(iii) a duly qualified medical practitioner.

3. In the case of a casual vacancy on a pensions appeal tribunal the Lord Chancellor may appoint a similarly qualified person to fill the vacancy.

4. The legal representative shall be the chairman of each tribunal.

5. The number of members of a tribunal to hear any particular case shall be three. Where the claim is that of an officer the second member shall be an officer, and where the claim to be heard is that of a man, the second member shall be a man.

6. There shall be paid to the members of pensions appeal tribunals such remuneration as the Treasury may determine, and any such remuneration and any expenses which may be incurred by a tribunal up to such amount as is sanctioned by the Treasury shall be paid out of moneys provided by Parliament.

7. No court fees shall be charged on the hearing of any case before a pensions appeal tribunal.

8. Subject as aforesaid, the Lord Chancellor may make regulations with respect to the procedure of pensions appeal tribunals, and may by such regulations provide for the transfer to such tribunals of claims pending before a Ministry Appeal Tribunal at the first day of November nineteen hundred and nineteen the summoning of expert and other witnesses, the representation of the claimants and the Ministry at the hearing of any appeal, the arrangements for the sittings of the tribunals (including the sitting of more than one tribunal in the same area) the particular cases which any tribunal shall hear, and such other matters as may be required for the due and speedy determination of appeals.

9. "Lord Chancellor" shall mean, in the application of this schedule to Scotland, the Lord President of the Court of Session, and in its application to Ireland, the Lord Chancellor of Ireland.

CHAPTER 54.

An Act to make further provision for the Protection of Animals from Cruelty. [19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Offences.

1.—(1) If any person shall subject or cause or procure, or being the owner permit to be subjected, an animal to an operation contrary to the regulations contained in this section, he shall be guilty of an offence under this Act.

(2)—(*a*) A horse, a dog, a cat, or a bovine shall not be subjected to any operation specified in the First, Second, or Third Schedules of this Act, respectively, unless the animal during the whole of the operation is under the influence of some general anæsthetic of sufficient power to prevent the animal feeling pain.

(*b*) A horse, a dog, a cat, or a bovine shall not be subjected to any operation specified in the Fourth, Fifth, or Sixth Schedules to this Act, respectively, unless during the whole of the operation it is under the influence of some general anæsthetic or some local anæsthetic being, in either case, of sufficient power to prevent it feeling pain.

Penalties and appeals.

2. Any person who is guilty of an offence under this Act shall be liable on summary conviction in respect of the first offence to a fine not exceeding five pounds, and in respect of any second or subsequent offence to a fine not exceeding twenty-five pounds, or alternatively, or in addition thereto, to be imprisoned for any term not exceeding three months.

Powers of Board of Agriculture and Fisheries.

3.—(1) The Board of Agriculture and Fisheries may, by order made subject to the provisions of this section, add any other operation to the operations specified in any schedule to this Act, and any operation so added shall be deemed to be an operation specified in that schedule, and may transfer an operation from one schedule to another, and the Board of Agriculture and Fisheries may also, by order made as aforesaid, extend any provision of this Act to any domestic animal to which it does not at the time apply, with such modifications or additions as may appear to that Board to be necessary. The Board may, by order made subject to the provisions of this section, declare any substance to be a suitable general anæsthetic or a suitable local anæsthetic for the purposes of this Act, and any substance so declared shall be deemed to be a general anæsthetic or local anæsthetic, as the case may be, of sufficient power to prevent the animal feeling pain if properly applied.

(2) The draft of any such order shall be published for a period of three months before the order is made, and the Board of Agriculture and Fisheries during that period shall receive and consider any representations made to them with respect to the order by any persons appearing to them to be interested in the subject of the order.

(3) The order, when made, shall forthwith be laid before Parliament, and shall not take effect until it has so lain for thirty days before each House of Parliament, being days upon which that House has sat, and if a resolution is passed by either House before the expiration of such days declaring that the order be annulled, the order shall not take effect, but if no such resolution is passed the order shall take effect on such day after the expiration of the last day on which any such resolution might have been passed as the Board of Agriculture and Fisheries may appoint.

Definitions.

4. In this Act, except the context otherwise requires, the expression "horse" includes pony, mule, jennet, or donkey.

Saving. 39 & 40 Vict. c. 77.

5. Nothing in this Act shall apply to any experiment to which the Cruelty to Animals Act, 1876, applies.

Application to Scotland and Ireland.

6. This Act in its application to Scotland and Ireland shall have effect with the substitution of references to the Board of Agriculture for Scotland and the Department of Agriculture and Technical Instruction for Ireland, respectively, for any reference to the Board of Agriculture and Fisheries.

Short title.

7. This Act may be cited as the Animals (Anæsthetics) Act, 1919.

SCHEDULES.

Section 1.

FIRST SCHEDULE.

HORSES.

1. Operation for quittor.
2. Operation for stripping the wall or sole of the hoof.
3. Operation for poll evil.
4. Operation for fistulous withers.
5. Ovariotomy.
6. Laparotomy.
7. Amputations of penis, mamma, uterus.
8. Extraction of permanent molar teeth.
9. Operations for scrotal and inguinal hernia.
10. Operations for scirrhous cord and extensive tumours.

Section 1.

SECOND SCHEDULE.

DOGS AND CATS.

1. Castration in animals six months old and upwards.
2. Ovariotomy.
3. Laparotomy.
4. Amputations of penis, mamma, uterus.
5. Operations for scrotal and inguinal hernia.

THIRD SCHEDULE.

Section 1.

Bovines.

1. Ovariotomy.
2. Operations for actinomycosis.
3. Laparotomy.
4. Amputation of penis, mamma, uterus.
5. Dishorning cattle over one month old.

FOURTH SCHEDULE.

Section 1.

Horses.

1. Neurectomy or unnerving.
2. Enucleation of the eyeball.
3. Line and point firing.
4. Operation for umbilical hernia.
5. Urethrotomy.
6. Docking of the tail.
7. Trephining.

FIFTH SCHEDULE.

Section 1.

Dogs and Cats.

1. Enucleation of the eyeball.
2. Operation for umbilical hernia.
3. Urethrotomy.
4. Docking of the tail and clipping or rounding of ears of animals over six months old.

SIXTH SCHEDULE.

Section 1.

Bovines.

1. Enucleation of the eyeball.
2. Operation for umbilical hernia.
3. Rumenotomy.
4. Urethrotomy.
5. Trephining.

CHAPTER 55.

An Act to amend the definition of Agricultural Labourer for the purposes of the Labourers (Ireland) Acts.

[19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of definition of agricultural labourer. 3 Edw. 7. c. 37.

1.—(1) For the purposes of the Labourers (Ireland) Acts, 1883 to 1918, and this Act, the definition of the expression "agricultural labourer" in section ninety-three of the Irish Land Act, 1903, shall be extended so as to include—

(*a*) any person (other than a domestic or menial servant) working for hire in a rural district whose average wages exceed two shillings and sixpence a day;

(*b*) any person not working for hire, but working in a rural district at some trade or handicraft without employing any persons except members of his own family:

Provided that—

(i) the rents charged on any lettings to any such persons shall not be less than shall be specially prescribed by rules of the Local Government Board; and

(ii) any question that may arise as to whether a person is a person to whom this section applies shall be determined by the Local Government Board, whose determination shall be final and conclusive; and

(iii) this section shall not apply to any person who is in occupation of more than a quarter of an acre of land exclusive of any plot or garden let to him by the rural district council.

Short title, construction, and citation

2. This Act may be cited as the Labourers (Ireland) Act, 1919, and shall be construed as one with the Labourers (Ireland) Acts, 1883 to 1918, and may be cited with those Acts.

CHAPTER 56.

An Act to amend the Law relating to Solicitors.

[19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Solicitors Act, 1919.

Commencement of Act.

2. This Act shall come into operation on the first day of January, nineteen hundred and twenty, which date is in this Act referred to as the commencement of this Act.

Interpretation. 51 & 52 Vict. c. 65.

3. In this Act—

The expression "the principal Act" means the Solicitors Act, 1888;

The expression "the Committee" means the Committee constituted under section twelve of the principal Act;

The expression "the Society" means the Law Society;

The expression "solicitor" means solicitor of the Supreme Court of Judicature in England;

The expression "the Registrar" means the Registrar of Solicitors;

The expression "the Court" means His Majesty's High Court of Justice in England.

Power to appoint past member of Council of Society to be member of the Committee.

4. The Master of the Rolls may at any time and from time to time, in the exercise under section twelve of the principal Act of his powers thereby conferred of filling any vacancy in or adding to the number of the Committee, appoint any past member of the Council of the Society practising in England to be a member of the Committee.

Applications to be made to the Committee and power for the Committee to make orders thereon.

5. An application made after the commencement of this Act to strike the name of a solicitor off the Roll of Solicitors (whether at the instance of the solicitor himself or of any other person), or an application made after the commencement of this Act to require a solicitor to answer allegations contained in an affidavit, shall be made to and shall be heard by the Committee in accordance with rules in that behalf to be made under the authority of this Act, and the Committee shall upon every such application have power, after hearing the case, to make any such order as to striking off the Roll of Solicitors or suspending from practice the solicitor to whom this application relates, or as to the payment by any party of costs or otherwise in relation to the case, as before the commencement of this Act the Court or the Master of the Rolls (as the case may be) would have had power to make upon a report of the Committee made to the Court or the Master of the Rolls pursuant to the provisions of section thirteen of the principal Act.

Power for Committee to administer oaths, &c. and for the parties to sue out writs of subpœna ad testificandum, &c.

6. The Committee may administer and take oaths and affirmations for the purpose of any application made to them under this Act, and the applicant, on any such application, and the solicitor to whom the same relates, may respectively for the purpose of such application sue out writs of subpœna ad testificandum and writs of subpœna duces tecum, but no person shall be compelled under any such writ to produce any document which he could not be compelled to produce on the trial of an action.

Order to be filed with Registrar, &c., and effect of order.

7.—(1) Every order made by the Committee under this Act shall be in writing, signed by the chairman of this Committee, and shall be prefaced by a statement of the findings of the

Committee in relation to the facts of the case, and shall be filed with the Registrar.

(2) In the case of every order made by the Committee as aforesaid whereby any solicitor is ordered to be struck off the Roll of Solicitors or is suspended from practice, the Registrar shall forthwith upon the filing of such order cause a notice stating the effect of the operative part of such order to be published in the London Gazette.

(3) Every order made by the Committee as aforesaid shall, so soon as the same shall have been filed, be acted upon by the Registrar and be enforceable in the same manner as a judgment or order of the Court to the like effect.

(4) The file of orders made under the Act shall during office hours be open to the inspection of any person without fee or reward.

Appeals.

8. An appeal to the Court from any order of the Committee made under the powers of this Act shall lie at the instance either of the applicant or of the solicitor, and every such appeal shall be made within such time and in such form and shall be heard in such manner as shall be prescribed by rules in that behalf to be made under the authority of this Act.

Rules.

9.—(1) The Committee, with the concurrence of the Master of the Rolls, may make and from time to time alter and revoke rules for regulating the making, hearing and determining of applications under section five of this Act.

(2) The Master of the Rolls, with the concurrence of the Lord Chancellor and the Lord Chief Justice of England, or one of them, may make and from time to time alter and revoke rules prescribing the time, form, and manner within and in which appeals under section eight of this Act shall be made and heard.

Saving for jurisdiction of Master of Rolls and other judges.

10. Nothing in this Act contained shall prejudice, diminish, or affect the jurisdiction which, apart from the provisions of the principal Act and this Act, or either of them, is exerciseable by the Master of the Rolls or any judge of the Court over solicitors.

Repeal.

11. As from the commencement of this Act, sections thirteen, fourteen, and fifteen of the principal Act, and any rules made under section fifteen of the principal Act, are hereby respectively repealed, but without prejudice to anything already done or suffered under such sections or any of them, or to any application or proceeding which at the commencement of this Act may be pending under section thirteen of the principal Act, and any such pending application or proceeding as aforesaid may be carried on and completed in all respects as though this Act had not been passed.

CHAPTER 57.

An Act to amend the law as to the Assessment of Compensation in respect of Land acquired compulsorily for public purposes and the costs in proceedings thereon.

[19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Tribunal for assessing compensation in respect of land compulsorily acquired for public purposes.

1.—(1) Where by or under any statute (whether passed before or after the passing of this Act) land is authorised to be acquired compulsorily by any Government Department or any local or public authority, any question of disputed compensation, and, where any part of the land to be acquired is subject to a lease which comprises land not acquired, any question as to the apportionment of the rent payable under the lease, shall be referred to and determined by the arbitration of such one of a panel of official arbitrators to be appointed under this section as may be selected in accordance with rules made by the Reference Committee under this section.

(2) Such number of persons, being persons with special knowledge in the valuation of land, as may be appointed for England and Wales, Scotland and Ireland by the Reference Committee, shall form a panel of persons to act as official arbitrators for the purposes of this Act in England and Wales, Scotland and Ireland respectively: Provided that of the members of the said panel for England and Wales one at least shall be a person having special knowledge of the valuation of land in Wales and acquainted with the Welsh language.

(3) A person appointed to be a member of the panel of official arbitrators shall hold office for such term certain as may be determined by the Treasury before his appointment, and whilst holding office shall not himself engage, or be a partner of any other person who engages, in private practice or business.

(4) There shall be paid out of moneys provided by Parliament to official arbitrators such salaries or remuneration as the Treasury may determine.

(5) The Reference Committee—

(*a*) for England and Wales, shall consist of the Lord Chief Justice of England, the Master of the Rolls and the President of the Surveyors' Institution;

(*b*) for Scotland, shall consist of the Lord President of the Court of Session, the Lord Justice Clerk and the Chairman of the Scottish Committee of the Surveyors' Institution;

(c) for Ireland, shall consist of the Lord Chief Justice of Ireland, the Master of the Rolls in Ireland and the President of the Surveyors' Institution, or (if the President of the Surveyors' Institution thinks fit) a person, being a member of the council of that institution and having special knowledge of valuation of land in Ireland appointed by him to act in his place.

Rules for the assessment of compensation.

2. In assessing compensation, an official arbitrator shall act in accordance with the following rules:—

(1) No allowance shall be made on account of the acquisition being compulsory:

(2) The value of land shall, subject as hereinafter provided be taken to be the amount which the land if sold in the open market by a willing seller might be expected to realise: Provided always that the arbitrator shall be entitled to consider all returns and assessments of capital value for taxation made or acquiesced in by the claimant:

(3) The special suitability or adaptability of the land for any purpose shall not be taken into account if that purpose is a purpose to which it could be applied only in pursuance of statutory powers, or for which there is no market apart from the special needs of a particular purchaser or the requirements of any Government Department or any local or public authority: Provided that any bonâ fide offer for the purchase of the land made before the passing of this Act which may be brought to the notice of the arbitrator shall be taken into consideration:

(4) Where the value of the land is increased by reason of the use thereof or of any premises thereon in a manner which could be restrained by any court, or is contrary to law, or is detrimental to the health of the inmates of the premises or to the public health, the amount of that increase shall not be taken into account:

(5) Where land is, and but for the compulsory acquisition would continue to be, devoted to a purpose of such a nature that there is no general demand or market for land for that purpose, the compensation may, if the official arbitrator is satisfied that reinstatement in some other place is bonâ fide intended, be assessed on the basis of the reasonable cost of equivalent reinstatement:

(6) The provisions of Rule (2) shall not affect the assessment of compensation for disturbance or any other matter not directly based on the value of land.

For the purposes of this section, an official arbitrator shall be entitled to be furnished with such returns and assessments as he may require.

Provision as to procedure before official arbitrators.

3.—(1) In any proceedings before an official arbitrator, not more than one expert witness on either side shall be heard unless the official arbitrator otherwise directs:

Provided that, where the claim includes a claim for compensation in respect of minerals, or disturbance of business, as well as in respect of land, one additional expert witness on either side on the value of the minerals, or, as the case may be, on the damage suffered by reason of the disturbance may be allowed.

(2) It shall not be necessary for an official arbitrator to make any declaration before entering into the consideration of any matter referred to him.

(3) The official arbitrator shall, on the application of either party, specify the amount awarded in respect of any particular matter the subject of the award.

(4) The official arbitrator shall be entitled to enter on and inspect any land which is the subject of proceedings before him.

(5) Proceedings under this Act shall be heard by an official arbitrator sitting in public.

(6) The fees to be charged in respect of proceedings before official arbitrators shall be such as the Treasury may prescribe.

(7) Subject as aforesaid, the Reference Committee may make rules regulating the procedure before official arbitrators.

Consolidation of proceedings on claims for compensation in respect of various interests in the same land.

4. Where notices to treat have been served for the acquisition of the several interests in the land to be acquired, the claims of the persons entitled to such interests shall, so far as practicable, and so far as not agreed and if the acquiring authority so desire, be heard and determined by the same official arbitrator, and the Reference Committee may make rules providing that such claims shall be heard together, but the value of the several interests in the land having a market value shall be separately assessed.

Provisions as to costs.

5.—(1) Where the acquiring authority has made an unconditional offer in writing of any sum as compensation to any claimant and the sum awarded by an official arbitrator to that claimant does not exceed the sum offered, the official arbitrator shall, unless for special reasons he thinks proper not to do so, order the claimant to bear his own costs and to pay the costs of the acquiring authority so far as such costs were incurred after the offer was made.

(2) If the official arbitrator is satisfied that a claimant has failed to deliver to the acquiring authority a notice in writing of the amount claimed by him giving sufficient particulars and in

sufficient time to enable the acquiring authority to make a proper offer, the foregoing provisions of this section shall apply as if an unconditional offer had been made by the acquiring authority at the time when in the opinion of the official arbitrator sufficient particulars should have been furnished and the claimant had been awarded a sum not exceeding the amount of such offer.

The notice of claim shall state the exact nature of the interest in respect of which compensation is claimed, and give details of the compensation claimed, distinguishing the amounts under separate heads and showing how the amount claimed under each head is calculated, and when such a notice of claim has been delivered the acquiring authority may, at any time within six weeks after the delivery thereof, withdraw any notice to treat which has been served on the claimant or on any other person interested in the land authorised to be acquired, but shall be liable to pay compensation to any such claimant or other person for any loss or expenses occasioned by the notice to treat having been given to him and withdrawn, and the amount of such compensation shall, in default of agreement, be determined by an official arbitrator.

(3) Where a claimant has made an unconditional offer in writing to accept any sum as compensation and has complied with the provisions of the last preceding subsection, and the sum awarded is equal to or exceeds that sum, the official arbitrator shall, unless for special reasons he thinks proper not to do so, order the acquiring authority to bear their own costs and to pay the costs of the claimant so far as such costs were incurred after the offer was made.

(4) Subject as aforesaid, the costs of an arbitration under this Act shall be in the discretion of the official arbitrator who may direct to and by whom and in what manner those costs or any part thereof shall be paid, and the official arbitrator may in any case disallow the cost of counsel.

(5) An official arbitrator may himself tax the amount of costs ordered to be paid, or may direct in what manner they are to be taxed.

(6) Where an official arbitrator orders the claimant to pay the costs, or any part of the costs, of the acquiring authority, the acquiring authority may deduct the amount so payable by the claimant from the amount of the compensation payable to him.

(7) Without prejudice to any other method of recovery, the amount of costs ordered to be paid by a claimant, or such part thereof as is not covered by such deduction as aforesaid shall be recoverable from him by the acquiring authority summarily as a civil debt.

(8) For the purpose of this section, costs include any fees, charges, and expenses of the arbitration or award.

Finality of award and statement of special cases.

6.—(1) The decision of an official arbitrator upon any question of fact, shall be final and binding on the parties, and, the persons claiming under them respectively, but the official arbitrator may, and shall, if the High Court so directs, state at any stage of the proceedings, in the form of a special case for the opinion of the High Court, any question of law arising in the course of the proceedings, and may state his award as to the whole or part thereof in the form of a special case for the opinion of the High Court.

(2) The decision of the High Court upon any case so stated shall be final and conclusive, and shall not be subject to appeal to any other court.

Effect of Act on existing enactments.

7.—(1) The provisions of the Act or order by which the land is authorised to be acquired, or of any Act incorporated therewith, shall, in relation to the matters dealt with in this Act, have effect subject to this Act, and so far as inconsistent with this Act those provisions shall cease to have or shall not have effect:

Provided that nothing in this Act relating to the rules for assessing compensation shall affect any special provisions as to the assessment of the value of land acquired for the purposes of Part I. or Part II. of the Housing of the Working Classes Act, 1890, or under the Defence of the Realm (Acquisition of Land) Act, 1916, and contained in those Acts respectively, or any Act amending those Acts, if and so far as the provisions in those Acts are inconsistent with the rules under this Act and the provisions of the Second Schedule to the Housing of the Working Classes Act, 1890, as amended by any subsequent enactment (except paragraphs (4), (5), (29), and (31) thereof) shall apply to an official arbitrator as they apply to an arbitrator appointed under that schedule, and an official arbitrator may exercise all the powers conferred by those provisions on such arbitrator.

53 & 54 Vict. c. 70. 6 & 7 Geo. 5. c. 63.

(2) The provisions of this Act shall apply to the determination of the amount of rent or compensation payable in respect of land authorised to be hired compulsorily under the Small Holdings and Allotments Act, 1908, or any Act amending that Act, and any matter required thereby to be determined by a valuer appointed by the Board of Agriculture and Fisheries shall be determined by an official arbitrator in accordance with this Act.

8 Edw. 7. c. 36.

Power to refer to Commissioners of Inland Revenue or to agreed arbitrator.

8.—(1) Nothing in this Act shall prevent, if the parties so agree, the reference of any question as to disputed compensation or apportionment of rent to the Commissioners of Inland Revenue or to an arbitrator agreed on between the parties.

(2) Where a question is so referred to the Commissioners of Inland Revenue, the Commissioners shall not proceed by arbitration, but shall cause an assessment to be made in accord-

ance with the rules for the assessment of compensation under this Act, and the following provisions shall have effect:—

(*a*) The parties shall comply with any direction or requirements as to the furnishing of information (whether orally or in writing), and the production of documents and otherwise;

(*b*) Any officer of the Commissioners appointed for the purpose shall be entitled to enter on and inspect any land which is subject to the reference to them;

(*c*) The Commissioners, if either party so desires within such time as the Commissioners may allow, shall give the parties an opportunity of being heard before such officer of the valuation office of the Commissioners as the Commissioners may appoint for the purpose;

(*d*) The assessment when made shall be published to the parties and take effect as if it were an award of an official arbitrator under this Act;

(*e*) if either party refuses or neglects to comply with any direction or requirement of the Commissioners, the Commissioners may decline to proceed with the matter, and in that case the question shall be referred to an official arbitrator as if there had been no reference to the Commissioners, and the official arbitrator when awarding costs shall take into consideration any report of the Commissioners as to the refusal or neglect which rendered such a reference to him necessary.

(3) Where a question is referred to an arbitrator under subsection (1) of this section, the provisions of this Act, except sections one and four and so much of section three as requires proceedings to be in public and as provides for the fixing of fees, shall apply as if the arbitrator was an official arbitrator.

(4) Either party to a claim for compensation may require the Commissioners for Inland Revenue to assess the value of the land in respect of which the claim arises, and a copy of any such assessment shall be sent forthwith by the Commissioners to the other party, and a certified copy of such assessment shall be admissible in evidence of that value in proceedings before the official arbitrator, and the officer who made the assessment shall attend, if the official arbitrator so require, to answer such questions as the official arbitrator may think fit to put to him thereon.

Certificates of value of official arbitrators.

9. An official arbitrator may on the application of any person certify the value of land being sold by him to a Government department or public or local authority, and the sale of the land to the department or authority at the price so certified shall be deemed to be a sale at the best price that can reasonably be obtained.

Saving for statutory purchases of statutory undertakings.

10.—(1) The provisions of this Act shall not apply to any purchase of the whole or any part of any statutory undertaking under any statutory provisions in that behalf prescribing the terms on which the purchase is to be effected.

(2) For the purposes of this section, the expression "statutory undertaking" means an undertaking established by Act of Parliament or order having the force of an Act, and the expression "statutory provisions" includes the provisions of an order having the force of an Act.

Application to Scotland and Ireland.

11.—(1) This Act shall apply to Scotland subject to the following modifications:—

(*a*) The provisions of this Act other than the provisions of the section thereof relating to rules for the assessment of compensation shall apply to the determination of any question which, under subsection (11) of section seven or section seventeen of the Small Landholders (Scotland) Act, 1911, is referred to arbitration, as if the Board of Agriculture for Scotland were the acquiring authority, and as if in the said subsection (11) there were substituted for the Lord Ordinary on the Bills and the Lord Ordinary, except where the Lord Ordinary is therein last referred to, such person as may be prescribed by rules made by the Reference Committee for Scotland; and the provisions of that Act, including the Second Schedule to the Agricultural Holdings (Scotland) Act, 1908, as thereby applied, shall in relation to such determination have effect subject to the aforesaid provisions of this Act:

1 & 2 Geo. 5. c. 49.

8 Edw. 7. c. 64.

(*b*) "High Court" means either division of the Court of Session; "arbitrator" means arbiter, and "easement" means servitude.

(2) This Act shall apply to Ireland subject to the following modification:—

Nothing in this Act shall affect the determination of the price or compensation to be paid on the compulsory acquisition of land by the Irish Land Commission or Congested Districts Board for Ireland under any statute or the special provisions contained in the Labourers (Ireland) Act, 1885, and the enactments amending the same, with respect to the jurisdiction of the Irish Land Commission in cases where land is taken compulsorily under those provisions for a term of years.

48 & 49 Vict. c. 77.

Short title, commencement and interpretation.

12.—(1) This Act may be cited as the Acquisition of Land (Assessment of Compensation) Act, 1919, and shall come into operation on the first day of September nineteen hundred and nineteen, but shall not apply to the determination of any

question where before that date the appointment of an arbitration, valuation, or other tribunal to determine the question has been completed, or a jury has been empanelled for the purpose.

(2) For the purposes of this Act, the expression "land" includes water and any interests in land or water and any easement or right in, to, or over land or water, and "public authority" means any body of persons, not trading for profit, authorised by or under any Act to carry on a railway, canal, dock, water or other public undertaking.

. . . . . .

CHAPTER 58.

An Act for establishing a Forestry Commission for the United Kingdom, and promoting afforestation and the production and supply of timber therein, and for purposes in connexion therewith. [19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Establishment of Forestry Commission.

1.—(1) For the purposes of this Act, it shall be lawful for His Majesty by warrant under the sign manual to appoint eight commissioners, to be styled the Forestry Commissioners, of whom one, to be appointed by His Majesty, shall be chairman, and of whom not less than two shall have special knowledge and experience of forestry in Scotland, and one at least shall be a person having scientific attainments and a technical knowledge of forestry.

(2) There shall be paid to not more than three of the Forestry Commissioners, in this Act referred to as "the Commissioners," such salaries in each year (not exceeding in the aggregate four thousand five hundred pounds) as the Treasury may direct.

(3) Subject to the provisions of this section, the term of office of a Commissioner shall be five years.

(4) On a casual vacancy occurring owing to the death, resignation, or incapacity of a Commissioner, the person appointed by His Majesty to fill the vacancy shall continue in office until the date on which the Commissioner in whose place he was appointed would have ceased to hold office.

(5) A person who has vacated office as a Commissioner shall be eligible for re-appointment.

(6) One of the unpaid Commissioners shall be a member of the Commons House of Parliament.

Proceedings, staff, and seal of Commissioners.

2.—(1) The Commissioners may act by three of their number and notwithstanding a vacancy in their number, and may regulate their own procedure.

(2) The Commissioners may, subject to the approval of the Treasury as to number, appoint and employ such officers and servants for the purposes of this Act as they think necessary, and may remove any officer or servant so appointed or employed, and there shall be paid to such officers and servants such salary or remuneration as the Commissioners may, with the consent of the Treasury, determine.

(3) The Commissioners may sue and be sued, and may for all purposes be described by the name of "the Forestry Commissioners," and shall have an official seal which shall be officially and judicially noticed, and the seal shall be authenticated by any Commissioner or the secretary to the Commissioners, or some person authorised by the Commissioners to act on behalf of the secretary.

(4) Every document purporting to be an order or other instrument issued by the Commissioners and to be sealed with the seal of the Commissioners authenticated in manner provided by this section, or to be signed by the secretary to the Commissioners or any person authorised by the Commissioners to act on behalf of the secretary, shall be received in evidence and be deemed to be such order or instrument without further proof, unless the contrary is shown.

(5) The Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, shall apply to the Commissioners as though the Commissioners were included in the first column of the Schedule to the first-mentioned Act, and the chairman or any other Commissioner or the secretary, or any person authorised to act on behalf of the secretary, were mentioned in the second column of that schedule, and as if the regulations referred to in those Acts included any document issued by the Commissioners. 31 & 32 Vict. c. 37. 45 & 46 Vict. c. 9.

Powers and duties of Commissioners.

3.—(1) The Commissioners shall be charged with the general duty of promoting the interests of forestry, the development of afforestation, and the production and supply of timber, in the United Kingdom, and shall exercise and perform any powers and duties which are or may be conferred or imposed on, or transferred to, them under the provisions of this Act.

(2) There shall be transferred to the Commissioners the powers and duties of the Board of Agriculture and Fisheries, the Board of Agriculture for Scotland, and the Department of Agriculture and Technical Instruction for Ireland in relation to forestry, and also the powers of those Departments under the Destructive Insects and Pests Acts, 1877 and 1907, so far as those powers relate to insects or pests destructive only to forest trees and timber, but, so far as they relate to other insects or pests destructive or injurious alike to fruit trees or farm crops and to forest trees and timber, the Commissioners shall exercise such powers in consultation with the said Departments: 40 & 41 Vict. c. 68. 7 Edw. 7. c. 4.

Provided that the Departments from whom the powers and duties aforesaid are transferred to the Commissioners shall, if arrangements are made for the purpose, continue to exercise and perform on behalf of the Commissioners such of the transferred powers and duties as may, from time to time, be agreed between the Commissioners and the Department concerned.

(3) Subject to any directions which may be given by the Treasury, the Commissioners shall have power to do any of the following things:—

(*a*) Purchase or take on lease and hold any land suitable for afforestation or required for purposes in connexion with afforestation or with the management of any woods or forests, and manage, plant, and otherwise utilize any land acquired, and erect such buildings or execute such other works thereon as they think necessary:

(*b*) Sell or let any land which in their opinion is not needed or has proved unsuitable for the purpose for which it was acquired, or exchange any such land for other land more suitable for that purpose, and pay or receive money for equality of exchange:

(*c*) Purchase or otherwise acquire standing timber, and sell or otherwise dispose of any timber belonging to them, or, subject to such terms as may be mutually agreed, to a private owner, and generally promote the supply, sale, utilisation, and conversion of timber:

(*d*) Make advances by way of grant or by way of loan, or partly in one way and partly in the other, and upon such terms and subject to such conditions as they think fit, to persons (including local authorities) in respect of the afforestation (including the re-planting) of land belonging to those persons:

(*e*) Undertake the management or supervision, upon such terms and subject to such conditions as may be agreed upon, or give assistance or advice in relation to the planting or management of any woods or forests belonging to any persons, including woods and forests under the management of the Commissioners of Woods or under the control of any Government Department, or belonging to any local authority:

(*f*) Establish and carry on or aid in the establishment and carrying on of woodland industries:

(*g*) Undertake the collection, preparation, publication and distribution of statistics relating to forestry, and promote and develop instruction and training in forestry by establishing or aiding schools or other educational institutions or in such other manner as they think fit:

(*h*) Make or aid in making such inquiries, experiments and research, and collect or aid in collecting such

information, as they may think important for the purpose of promoting forestry and the teaching of forestry, and publish or otherwise take steps to make known the results of such inquiries, experiments or research and to disseminate such information:

(*i*) Make or aid in making such inquiries as they think necessary for the purpose of securing an adequate supply of timber in the United Kingdom and promoting the production of timber in His Majesty's dominions:

Provided that any advance by way of a grant under this section shall be subject to the condition that any profits resulting from the operations in respect of which the grant was made shall, after allowing for a return to the owner of four per cent. compound interest on the cost incurred by him (exclusive of the amount of the grant), be charged with the repayment to the forestry fund of the amount of the grant together with compound interest at four per cent.

Any question arising between the Commissioners and the owner with respect to the amount of any repayment under this proviso shall, in default of agreement, be decided by a person nominated by the President of the Surveyors' Institution, and, for the purposes of this proviso, the expression "owner" means the person for the time being entitled to the profits on the operations in respect of which the grant was made: Provided also that, before acquiring any land under this Act and before selling or otherwise disposing of any land so acquired, but not required by them for the purposes of this Act, the Commissioners shall consult the appropriate agricultural department, and, in the case of land proposed to be sold or disposed of, shall give that department an opportunity of acquiring the same.

The appropriate agricultural department shall be in England and Wales the Board of Agriculture and Fisheries, in Scotland the Board of Agriculture for Scotland, and in Ireland the Department of Agriculture and Technical Instruction for Ireland.

(4) An advance shall not after the commencement of this Act be made under subsection (1) of section one of the Development and Road Improvement Funds Act, 1909, for the purposes of forestry, unless before that date the Development Commissioners have made and the Treasury have approved a recommendation for the advance. 9 Edw. 7. c. 47.

(5) It shall be lawful for any of the persons under a disability referred to in section seven of the Lands Clauses (Consolidation) Act, 1845, or of the Lands Clauses (Consolidation) (Scotland) Act, 1845, to enter into agreements with the Commissioners for the purposes of this section in like manner in all respects as they are entitled to enter into agreements for the purposes of those sections. 8 & 9 Vict. c. 18. 8 & 9 Vict. c. 19.

(6) In this section the expression "timber" includes all forest products.

Prevention of damage by rabbits and vermin.

4.—(1) Where the Commissioners are satisfied that trees or tree plants are being or are likely to be damaged by rabbits, hares or vermin owing to the failure of an occupier of land to destroy sufficiently the rabbits, hares or vermin on the land in his occupation, or otherwise taking steps for the prevention of such damage, the Commissioners may, after giving to the occupier and owner such opportunity of destroying the rabbits, hares or vermin, or taking such steps as aforesaid, as in the opinion of the Commissioners is reasonable, authorise in writing any competent person to enter on the land and kill and take the rabbits, hares or vermin thereon, and the Commissioners may recover from the occupier summarily, as a civil debt, the net cost incurred by them in connexion with the action so taken.

(2) Any person acting under an authority given by the Commissioners under this section shall, if so required, produce his authority, and, if any person obstructs any person so authorised in the due exercise of his powers or duties under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

(3) The person entitled to kill rabbits, hares or vermin on any common lands shall, for the purpose of this section, be deemed to be the occupier of the land.

(4) For the purpose of this section, the expression "vermin" includes squirrels.

Appointment of assistant commissioners to act for England, Scotland, and Ireland.

5.—(1) For the purpose of exercising in England and Wales, Scotland, and Ireland, respectively, the administrative powers and duties of the Commissioners (other than those relating to statistics, instruction and training, inquiries, experiments and research), and such of their other powers or duties as the Commissioners may determine, the Commissioners shall appoint three persons to be assistant commissioners, of whom one shall be appointed as assistant commissioner for England and Wales, one for Scotland, and one for Ireland.

(2) The salaries of the assistant commissioners shall be such as the Treasury may determine, and the Commissioners may from time to time remove any assistant commissioner and appoint another person to be assistant commissioner in his place.

Consultative committees for England, Scotland, Ireland, and Wales.

6.—(1) It shall be lawful for His Majesty, by Order in Council, to establish consultative committees for England, Scotland, Ireland, and Wales, respectively, for giving to the Commissioners in accordance with the provisions of the Order advice and assistance with respect to the exercise and performance by the Commissioners of their powers and duties under this Act.

(2) The constitution of each consultative committee shall be such as may be determined by the Order, so, however, that

the Order shall provide for the inclusion among the members of the committee of—

(*a*) a representative, in the case of the English Committee and the Welsh Committee, respectively, of the Board of Agriculture and Fisheries, in the case of the Scottish Committee, of the Board of Agriculture for Scotland, and in the case of the Irish Committee, of the Department of Agriculture and Technical Instruction for Ireland;

(*b*) persons having practical experience of matters relating to forestry, woodcraft, and woodland industries;

(*c*) representatives of labour;

(*d*) representatives of county councils and any other local bodies interested in forestry;

(*e*) representatives of societies existing for the promotion of afforestation;

(*f*) representatives of woodland owners.

Compulsory acquisition of land.

7.—(1) If the Commissioners are unable to acquire by agreement and on reasonable terms any land which they consider it necessary to acquire for the purpose of this Act, they may apply to the Development Commissioners for an order empowering them to acquire the land compulsorily in accordance with the provisions of the Schedule to this Act, and the Development Commissioners, after giving the owner of such land an opportunity of being heard against such compulsory purchase, shall have power to make such order.

(2) No land shall be authorised by an order under this section to be acquired compulsorily which, at the date of the order, forms part of any park, demesne, garden, or pleasure ground, or forms part of the home farm attached to and usually occupied with a mansion house, or is otherwise required for the amenity or convenience of any dwelling-house, or which at that date is the property of any local authority, or has been acquired by any corporation or company for the purposes of a railway, dock, canal, water, or other public undertaking, or is the site of an ancient monument or other object of archæological interest.

(3) Where an order made by the Development Commissioners under this Act authorises the acquisition of any land forming part of any common, open space, or allotment, the order, so far as it relates to the acquisition of such land, shall be provisional only, and shall not have effect unless and until it is confirmed by Parliament, except where the order provides for giving in exchange for such land other land, not being less in area, certified by the Board of Agriculture and Fisheries to be equally advantageous to the persons, if any, entitled to commonable or other rights, and to the public:

Provided that the foregoing provision shall not apply if the order provides for the granting to the public of reasonable access to the land for air, exercise or recreation, unless the land to be acquired has been dedicated to the public use and

29 & 30 Vict. c. 122. 39 & 40 Vict. c. 56. 8 & 9 Vict. c. 118. 62 & 63 Vict. c. 30.

enjoyment, or is a metropolitan common within the terms of the Metropolitan Commons Act, 1866, or is a suburban common as defined by the Commons Act, 1876, or is subject to a scheme of regulation made in pursuance of the Metropolitan Commons Acts, 1866 to 1898, or the Inclosure Acts, 1845 to 1882, or the Commons Act, 1899, or to a private or local Act of Parliament.

(4) Where the Commissioners are of opinion that insufficient facilities exist for the haulage of timber from any wood or forest to a road, railway, or waterway, they may make an order that the owner and occupier of any land shall afford the necessary facilities, subject to payment by the person in whose favour the order is made of reasonable rent or wayleave and of compensation for any damage caused by such haulage, and the owner or occupier of such land shall thereupon afford such facilities; and the amount of rent or wayleave and compensation shall, in default of agreement, be assessed by a single arbitrator appointed by the President of the Surveyors' Institution:

Provided that the Commissioners shall not make any order under this subsection until the person proposed to be required to give such facilities as aforesaid has had an opportunity of being heard and any person aggrieved by an order made under this subsection may appeal therefrom to the Development Commissioners in such manner and upon such conditions, if any, as may be prescribed by them, and the Development Commissioners may thereupon revoke or vary any such order.

Establishment of Forestry Fund.

8.—(1) The salaries of the Commissioners, and the salaries or remuneration of their officers and servants and all expenses incurred by the Commissioners in the exercise of their powers and the performance of duties under this Act, shall be defrayed out of a fund to be called the Forestry Fund.

(2) There shall be paid into the Forestry Fund—

(*a*) during the ten years immediately succeeding the first day of April, nineteen hundred and nineteen, the sum of three million five hundred thousand pounds in such annual amounts as Parliament may from time to time determine; and

(*b*) all sums received by the Commissioners in respect of the sale of any land or timber or otherwise received by the Commissioners in respect of any transactions carried out by them in the exercise of their powers and duties under this Act.

(3) The Commissioners may accept any gift made to them for all or any of the purposes of this Act, and, subject to the terms thereof, may apply it for those purposes in accordance with regulations made by them.

(4) The Commissioners shall cause an account to be prepared and transmitted to the Comptroller and Auditor General for examination, on or before the thirtieth day of September in every year, showing the sums paid into and the sums issued

out of the Forestry Fund in the financial year ending on the thirty-first day of March preceding, and the Comptroller and Auditor General shall certify and report on the same, and such account and report shall be laid before Parliament by the Commissioners on or before the thirty-first day of January in the following year if Parliament be then sitting, and, if Parliament be then not sitting, within one week after Parliament is next assembled.

The Commissioners shall also cause to be laid before both Houses of Parliament an annual report of their proceedings.

(5) Payments out of and into the Forestry Fund, and all other matters relating to the fund and money standing to the credit of the fund, shall be made and regulated in such manner as the Treasury may, by minute to be laid before Parliament, direct.

(6) The Treasury may from time to time invest any moneys standing to the credit of the Forestry Fund in any securities in which trustees are by law authorised to invest trust funds.

Power of entry to inspect land, &c.

9. Any officer of the Commissioners or any other person authorised by them in that behalf, may on production, if so required, of his authority, enter on and survey any land for the purpose of ascertaining whether it is suitable for afforestation or for the purpose of inspecting any timber thereon, or for any other purpose in connexion with the exercise of the powers and performance of the duties of the Commissioners under this Act.

Pensions.

10.—(1) Where an officer appointed to the office of Forestry Commissioner with a salary holds at the time of his appointment an office in the civil service which entitles him to superannuation under the Superannuation Acts, 1834 to 1914, he shall be entitled on his ultimate retirement from the public service to the same allowances as if he had continued to hold the vacated appointment at the same rate of salary as when the same was vacated, subject nevertheless to the conditions which would in that case have been applicable with respect to the grant of such allowances:

Provided that—

(*a*) it shall be lawful for the Treasury to grant such superannuation allowances to any such Forestry Commissioner on the expiration of his term of office without renewal of public employment; but any commissioner to whom such grant is made while under the age of sixty years shall be liable to be called upon to fill office under the Crown in the manner prescribed in section eleven of the Superannuation Act, 1859; and 22 Vict. c. 26.

(*b*) such part of any superannuation or other allowance or gratuity awarded by this section as the Treasury may determine shall be paid out of the Forestry Fund.

2. The Forestry Commission may, with the approval of the Treasury, make schemes providing for the grant of superannuation and other allowances and gratuities to or for the benefit of such officers employed by them as may be from time to time approved by the Treasury, and may out of the Forestry Fund pay to such officers on retirement, or to their legal representatives on death, such superannuation and other allowances and gratuities under the schemes as the Treasury may sanction in each case; and the Treasury may determine the Forestry Fund to be a public fund for the purposes of the Superannuation Act, 1892.

55 & 56 Vict. c. 40.

Short title and commencement.

11.—(1) This Act may be cited as the Forestry Act, 1919.

(2) This Act shall come into operation on the first day of September, nineteen hundred and nineteen.

Section 7.

SCHEDULE.

(1) Where the Commissioners propose to purchase land compulsorily under this Act, they may submit to the Development Commissioners a draft order putting in force, as respects the lands specified in the order, the provisions of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement.

(2) The order shall be in the prescribed form and shall contain such provisions as the Development Commissioners may prescribe for the purpose of carrying the order into effect, and shall incorporate the Lands Clauses Acts, except such of those provisions as relate to the sale of superfluous land, and sections seventy-seven to eighty-five of the Railways Clauses Consolidation Act, 1845, or, in Scotland, sections seventy to seventy-eight of the Railways Clauses Consolidation (Scotland) Act, 1845, and those Acts shall apply accordingly.

8 & 9 Vict. c. 20.
8 & 9 Vict. c. 3

(3) The draft order shall be published by the Commissioners in the prescribed manner, and such notice shall be given both in the locality in which the land proposed to be acquired is situate and to the owners, lessees, and occupiers of that land as may be prescribed, and in the case of land forming part of a common, open space, or allotment, also to the Board of Agriculture and Fisheries.

(4) An order authorising the acquisition of any buildings may, if portions only of those buildings are required for the purposes of the Commissioners, notwithstanding anything in the Lands Clauses Acts, require the owners of and other persons interested in those buildings to sell and convey to the Commissioners the portions only of the buildings so required, if the arbitrator is of opinion that such portions can be severed from the remainder of the properties without material detriment thereto, and, in such case, the Commissioners shall not be obliged to purchase the whole or any greater portion thereof, and shall pay for the portions acquired by them and make compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

(5) An order may provide for the continuance of any existing easement or the creation of any new easement over the land authorised to be acquired.

(6) Where the land is glebe land or other land belonging to an ecclesiastical benefice, the order shall provide that sums agreed upon or awarded for the purchase of the land or to be paid by way of compensation for the damage to be sustained by the owner by reason of severance or other injury affecting the land, shall not be paid as directed by the Lands Clauses Acts, but shall be paid to the Ecclesiatical Commissioners to be applied by them as money paid to them upon a sale under the provisions of the Ecclesiastical Leasing Acts of land belonging to a benefice.

The provisions of this paragraph shall not apply to Scotland or Ireland.

(7) In construing, for the purposes of this Schedule or any order made thereunder, any enactment incorporated with the order, this Act together with the order shall be deemed to be the special Act and the Commissioners shall be deemed to be the promoters of the undertaking, and the expression "land" shall include easements, in or relating to land.

(8) In this Schedule the expression "prescribed" means prescribed by the Development Commissioners, and in Scotland the expression "easements" means servitudes.

CHAPTER 59.

An Act to make further provision for the acquisition of land for the purposes of small holdings, reclamation, and drainage, to amend the enactments relating to small holdings and allotments, and otherwise to facilitate land settlement. [19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

PROVISIONS AS TO THE ACQUISITION OF LAND.

Temporary suspension of requirements as to confirmation of orders for the acquisition of land. 8 Edw. 7. c. 36.

1.—(1) Any order for the compulsory acquisition of land which is duly made after the date of the passing of this Act and before the expiration of three years from that date by a council under the Small Holdings and Allotments Act, 1908 (hereinafter referred to as the principal Act), need not, except as otherwise expressly provided by this Act, be submitted to or confirmed by the Board of Agriculture and Fisheries, but shall have effect as if it had been so confirmed:

Provided that a grant or inclosure of common purporting to be made under any such order shall not be valid unless it is made with the consent of the Board, given under and in accordance with the provisions of section twenty-two of the Commons Act, 1899.

62 & 63 Vict. c. 30.

(2) Notice of the making of an order to which this section applies shall be given in the prescribed form and manner by the

council as soon as practicable to each owner, lessee and occupier of the land authorised to be acquired, and a copy of the order and of any plan annexed or referred to in the order shall be furnished by the council to any person interested in the land, on application by such person.

Power of entry on land.

2.—(1) Where an order for the compulsory purchase of land has been made, and where necessary confirmed, under the principal Act, whether such order was made before or after the passing of this Act, the council entitled to purchase the land under the order may, at any time after a notice to treat has been served, and on giving not less than fourteen days' notice to each owner, lessee and occupier of the land, enter on and take possession of the land or such part thereof as is specified in the notice without previous consent or compliance with sections eighty-four to ninety of the Lands Clauses (Consolidation) Act, 1845, but subject to the payment of the like compensation for the land of which possession is taken and interest thereon as would have been payable if the provisions of those sections had been complied with:

8 & 9 Vict. c. 18.

Provided that, where a council have so entered on land, the council shall not be entitled to exercise the powers conferred by subsection (8) of section thirty-nine of the principal Act.

(2) Where a council have agreed for the purposes of the principal Act, to purchase land subject to the interest of the person in possession thereof, and that interest is not greater than that of a tenant for a year, or from year to year, then at any time after such agreement has been made the council may, after giving not less than fourteen days' notice to the person so in possession, enter on and take possession of the land or of such part thereof as is specified in the notice without previous consent, but subject to the payment to the person so in possession of the like compensation for the land of which possession is taken, with such interest thereon as aforesaid, as if the council had been authorised to purchase the land compulsorily and such person had, in pursuance of such power, been required to quit possession before the expiration of his term or interest in the land, but without the necessity of compliance with sections eighty-four to ninety of the Lands Clauses (Consolidation) Act, 1845.

(3) Where a notice of entry under this section relates to land on which there is a dwelling-house and the length of notice is less than three calendar months, the occupier of the dwelling-house may, by notice served on the council within ten days after the service on him of the notice of entry, appeal against such notice, and in any such case the appeal shall be determined by an arbitrator under and in accordance with the provisions of the Second Schedule of the Agricultural Holdings Act, 1908 (except that the arbitrator shall, in default of agreement, be appointed by the President of the Surveyors' Institution), and the council shall not be entitled to enter on the land under

this section except on such date and on such conditions as the arbitrator may award.

(4) This section shall with such necessary adaptations as may be prescribed apply in the case of an order authorising the compulsory hiring of land, or of an agreement to hire land.

Power of Board of Agriculture and Fisheries to provide land for settlement.

3.—(1) If the Board of Agriculture and Fisheries are satisfied that in any county the council are not providing small holdings, or land to be leased to a parish council for the provision of allotments, to such extent as in the opinion of the Board is desirable, the Board shall, in that county during a period of three years after the passing of this Act, acquire land to such extent as they think desirable for small holdings or to be leased to a parish council for the provision of allotments, and, for such purpose and for the use or disposal of the land when acquired, the Board shall have the same powers as may be exercised by a county council under the principal Act, and the provisions of the principal Act relating to the acquisition use or disposal of land by a county council and to small holdings provided by a county council shall apply with the necessary adaptations to the acquisition, use and disposal of land by the Board and to small holdings provided by the Board under this section.

(2) Where the Board determine to exercise in any county the powers conferred by this section, they shall give notice of such determination to the council of the county.

(3) A county council shall furnish the Board with all such information as the Board may require for the purposes of this section.

(4) The Board may at any time transfer land acquired under this section to the council of the county in which it is situate if the Board are satisfied that the council are willing to exercise and perform their powers and duties in relation thereto, but the terms of any transfer shall be subject to the approval of the Treasury.

(5) The expenses of the Board under this section to such extent as may be sanctioned by the Treasury shall be defrayed out of the Small Holdings Account, and the receipts of the Board under this section shall be paid into that account.

Power of Board of Agriculture and Fisheries to acquire land for reclamation, &c.

4.—(1) During a period of two years after the passing of this Act the Board of Agriculture and Fisheries may, with the consent of the Treasury, purchase or hire land for reclamation or drainage, and for such purpose shall have the same powers as may be exercised by a county council under the principal Act, for the acquisition of land for small holdings or allotments, and the provisions of the principal Act relating to such acquisition shall apply with the necessary adaptations.

(2) The powers of management conferred on the Board by section four of the Small Holding Colonies Act, 1916, shall apply

6 & 7 Geo. 5. c. 38.

with the necessary modifications in relation to land acquired by the Board under this section or any other enactment.

Power of acquiring land for small holding colonies. 8 & 9 Geo. 5. c. 26.

5.—(1) Subject to the limitations contained in the Small Holding Colonies Acts, 1916 and 1918, on the amount of land which may be acquired for the purposes of those Acts, and to the provisions of section one of the Small Holding Colonies (Amendment) Act, 1918, as to consultation with the chairman or a committee of the council of the county in which the land proposed to be acquired is situate, land may, during the period of two years after the passing of this Act, be acquired by the Board of Agriculture and Fisheries compulsorily for the purposes of those Acts in like manner, and subject to the like provisions as for the purposes mentioned in the last foregoing section, and that section shall apply accordingly, and the powers of acquiring land by agreement under those Acts shall be exercisable during the like period.

(2) So much of section one of the Small Holding Colonies (Amendment) Act, 1918, as restricts the powers of the Board of acquiring land to taking land on lease, purchasing land in consideration of an annual payment and taking land in feu, shall cease to have effect.

(3) In the selection of persons to be settled on land acquired under the Small Holding Colonies Acts, 1916 and 1918, as amended by this section, the Board of Agriculture and Fisheries shall give the like preference to women who are certified by the Board of Agriculture and Fisheries to have been engaged in whole-time employment on agricultural work for a period of not less than six months during the present war and to persons who have served in the forces of the Crown during any previous war, as they are required by those Acts to give to persons who have served in the forces of the Crown in the present war.

Compensation to labourers.

6. In any case of acquisition of land by the Board of Agriculture and Fisheries under this Act, subsection (5) of section one of the Small Holding Colonies Act, 1916 (which relates to compensation to labourers), shall apply with the substitution of references to this Act for references to that Act.

Power to covenant to pay rent-charges.

7. Where under the principal Act or the Small Holding Colonies Acts, 1916 and 1918, the Board of Agriculture and Fisheries or a council have power to purchase land in consideration of a fee farm rent, the Board or council shall have power and shall be deemed always to have had power to covenant to pay the rent as and when it becomes due.

Sales of glebe.

8. For the purpose of a sale of land under the Ecclesiastical Leasing Acts to a council or to the Board of Agriculture and Fisheries for the purposes of the principal Act or the Small Holding Colonies Acts, 1916 and 1918, the consent of the patron to the sale shall not be necessary.

PART II.

AMENDMENT OF THE SMALL HOLDINGS AND ALLOTMENTS ACT, 1908.

Power to sell and acquire land for annuity.

9.—(1) Any person having power (whether subject to any consent or conditions or not) to sell land authorised to be acquired by a county council under the principal Act may, subject to the like consent and conditions, sell the land to the council in consideration, wholly or partially, of a perpetual annuity under this section payable by the council.

(2) Where the vendor of the land sold in consideration for an annuity is not absolutely entitled for his own benefit to the land sold, the annuity shall be treated as if the land had been sold for a capital sum and that sum invested in the purchase of the annuity.

(3) Subject to the provisions of this section, the council liable for the payment of an annuity under this section may at any time redeem the annuity.

The council shall in each case give to the annuitant one month's notice of their intention to redeem the annuity, and shall pay to him as consideration for the redemption such sum as may be agreed, or in default of agreement such sum as would, according to the average price at the date of the expiration of the notice of such Government securities as may for the time being be prescribed by the Treasury, yield annual dividends equal to the amount of the annuity.

The redemption of an annuity under this section shall be deemed to be a purpose for which a council may borrow under the principal Act.

(4) The power to sell land in consideration of an annuity under this section shall apply to land belonging to His Majesty in right of the Crown or of the Duchy of Lancaster and to land belonging to the Duchy of Cornwall.

(5) The provisions set out in the First Schedule to this Act shall have effect with respect to annuities under this section.

Amendment of principal Act as respects power to acquire land for small holdings.

10.—(1) The power of a council to acquire land for small holdings under the principal Act shall not be exercised during the period ending on the thirty-first day of March, nineteen hundred and twenty-six, except with the previous consent of the Board of Agriculture and Fisheries, or after the thirty-first day of March, nineteen hundred and twenty-six, except at such a price or rent or for such an annuity as in the opinion of the council will allow all expenses incurred by the council in relation to the land to be recouped out of the purchase money or rent to be obtained by the council for the land.

(2) Subsection (3) of section seven of the principal Act (which regulates the price or rent at which land for small holdings may be acquired) shall cease to have effect.

(3) This section shall be deemed to have had effect as from the first day of January nineteen hundred and nineteen.

Duties of county councils with respect to sale or lease of land.

11.—(1) Land acquired by a county council under the principal Act shall be sold or let by the council at the best price or sum that can reasonably be obtained, and, where sold or let for small holdings, be sold or let, except where the Board of Agriculture and Fisheries for any special reason otherwise direct, subject to a reservation of all minerals vested in the council.

(2) Where land is sold for small holdings at any time before the first day of April, nineteen hundred and twenty-six, the sale shall only be made subject to the approval of the Board of Agriculture and Fisheries.

(3) A tenant of a holding provided by a county council on land purchased by the council, who has been in occupation thereof for a period of not less than six years, shall, on notice of his desire to purchase the holding being given to the council at any time before the tenant has received notice to quit the holding, be entitled to require the sale to him of the holding at the expiration of one month from the date of the notice at the then value of the holding, exclusive of any increase of the value thereof due to any improvement executed thereon by and at the expense of the tenant, and thereupon the council shall sell the holding to the tenant accordingly unless the council obtain the consent of the Board of Agriculture and Fisheries to the requirement of the tenant being refused by the council.

(4) The value of the holding shall in default of agreement be determined by arbitration under and in accordance with the provisions of the Second Schedule to the Agricultural Holdings Act, 1908.

(5) A council may, by order in relation to sales of small holdings provided by the council which are made while the order is in force, extend the term within which the purchase money is required by subsection (5) of section eleven of the principal Act to be repaid, but so that the term shall not exceed sixty years: Provided that any order made under this subsection before the thirty-first day of March nineteen hundred and twenty-six, shall require the approval of the Board of Agriculture and Fisheries and the Treasury.

(6) Subsection (3) of section eleven of the principal Act (which required the payment on completion of the purchase of a small holding of not less than one-fifth of the purchase money) is hereby repealed, and, unless the purchaser desires to pay on completion of the purchase or at any subsequent time the whole or part of the purchase money, the whole of the purchase money shall be secured as provided by section eleven, subsection (5) of the principal Act as amended by this Act.

(7) A council, when selling or letting a small holding at any time before the expiration of two years after the passing of this

Act, shall give preference to suitable men who have served at any time in the forces of the Crown and to suitable women who are certified by the Board to have been engaged in whole-time employment on agricultural work for a period of not less than six months during the present war.

Extension of powers of councils in relation to land acquired under principal Act.

12.—(1) Subject to the consent of the Board of Agriculture and Fisheries in cases where their consent is required under this section or under regulations made by the Board, a county council shall have power in any case where in the opinion of the council it is necessary or expedient so to do for the better carrying into effect of the principal Act—

(*a*) To erect, repair, or improve dwelling houses and other buildings on any land acquired by the council under the principal Act, or to execute any other improvement on or in connection with and for the benefit of any such land, or to arrange with the tenant of any such land for the execution of any such improvement of such terms as may be agreed;

(*b*) to sell, mortgage, exchange, or let any such land or any interest therein, subject, in the case of any sale, mortgage, or exchange, to the consent of the Board, and in the case of a mortgage subject also to the consent of the Local Government Board;

(*c*) in a case where no power of appropriation is otherwise provided, with the consent of the Board and the Local Government Board and subject to such conditions as to the repayment of any loan made for the purpose of the acquisition of the land or otherwise as the last-mentioned Board may impose—

(i) to appropriate for any purpose for which the council is authorised to acquire land under the principal Act any land held by the council for other purposes of the council; or

(ii) to appropriate for other purposes of the council land acquired by the council under the principal Act:

(*d*) generally to manage any land acquired by the council under the principal Act.

(2) Sections eight and sixteen of the principal Act (which relate respectively to the adaptation of land for small holdings and to the letting of land unsold and to the sale of superfluous or unsuitable land), shall cease to have effect.

(3) The provisions of the Lands Clauses (Consolidation) Act, 1845, with respect to the sale of superfluous land, shall not apply to land acquired by a council under the principal Act. 8 & 9 Vict. c. 18.

Removal of necessity for consent of

13. Notwithstanding any provision in the principal Act, the consent of the Board of Agriculture and Fisheries shall not,

Board after a certain period.

after the thirty-first day of March, nineteen hundred and twenty-six, be required for the acquisition, sale, mortgage, exchange, letting, improvement, or management of land by a county council under the principal Act, except in cases where such consent is required by some enactment other than the principal Act.

Extension of term of loans.

14.—(1) The Public Works Loan Commissioners may lend to a county council any money which the council are authorised to borrow under the principal Act on such terms and conditions as the Treasury may prescribe.

(2) During the period from the commencement of this section to the expiration of two years after the passing of this Act, the Treasury may issue to the Commissioners out of the Consolidated Fund of the United Kingdom or the growing produce thereof, sums not exceeding in the aggregate twenty million pounds, and the loans made by the Commissioners may be met out of the moneys so issued instead of out of the Local Loans Fund.

(3) After the expiration of the said two years any loans so made by the Public Works Loan Commissioners shall be made from the Local Loans Fund in manner provided by the Public Works Loans Act, 1875, as modified by subsection (2) of section fifty-two of the principal Act, except that proviso (*a*) of that subsection shall not apply, when the loan is made in respect of the acquisition or adaptation of land acquired before the first day of April, nineteen hundred and twenty-six.

38 & 39 Vict. c. 89.

(4) For the purposes of any borrowing under the principal Act by a county council for the erection of buildings, or any loan under this section by the Public Works Loan Commissioners to a county council for that purpose, for the period of fifty years mentioned in section fifty-two of the principal Act there shall be substituted the period of sixty years.

(5) This section shall be deemed to have had effect as from the first day of April, nineteen hundred and nineteen.

Consent of Board to period of borrowing by county councils.

15. A determination by a county council as to the period within which any money borrowed for the purpose of the exercise of their powers under this Act shall be repaid shall, if the money is borrowed after the passing of this Act and before the thirty-first day of March, nineteen hundred and twenty-six, be subject to the approval of the Board of Agriculture and Fisheries.

Amendment of section 41 of principal Act.

16.—(1) An order under the principal Act may, notwithstanding anything in section forty-one thereof, authorise the compulsory acquisition—

(*a*) of any land which at the date of the order forms part of any park or of any home farm attached to and usually occupied with a mansion house, if the land

is not required for the amenity or convenience of the mansion house; or

(*b*) of a holding of fifty acres or less in extent or any part of such a holding.

(2) Where it is proposed to acquire any land forming part of a park or any such home farm, or, except where required for purposes of allotments, a holding of fifty acres or less in extent or of an annual value not exceeding fifty pounds for the purposes of income tax, or any part of such a holding, the order authorising the acquisition of the land shall not be valid unless confirmed or made by the Board of Agriculture and Fisheries.

(3) A holding to which the preceding subsection applies shall not in whole or in part be compulsorily acquired under the principal Act by the Board or a council where it is shown to the satisfaction of the Board or the council, as the case may be, that the holding is the principal means of livelihood of the occupier thereof, except where the occupier is a tenant and consents to the acquisition.

Power of county council to acquire land for letting to parish council for allotments.

17. A county council may acquire land for the purpose of leasing it to the council of a parish within the county for the provision of allotments, and the provisions of the principal Act relating to the acquisition, and to proceedings in relation to the acquisition, of land for the purpose of providing small holdings shall apply to such acquisition as if the land were to be acquired for the provision of small holdings.

Power to advance money to certain tenants of small holdings for purchase of stock, &c.

18.—(1) Subject to the provisions of any regulations made by the Treasury, a county council may make or guarantee, or undertake to make or guarantee, an advance by way of loan to any tenant or prospective tenant of a small holding provided by the council under the principal Act, of such sums as they think necessary for the purchase of live stock, fruit trees, seeds, fertilisers, and implements required for the purposes of the holding, and the making of such advances shall be included amongst the purposes for which the council may borrow under section fifty-two of the principal Act.

(2) The Board of Agriculture and Fisheries may make or guarantee, or undertake to make or guarantee, similar advances to tenants of small holdings provided by the Board.

(3) The powers conferred by this section shall be exercisable by the council or the Board only where, in the opinion of the council or the Board, as the case may be, the facilities for obtaining advances from a society on a co-operative basis are inadequate.

Power of entry to inspect land.

19. A council, with a view to ascertaining whether any land is suitable for any purpose for which the council has power to acquire land under the principal Act, may by writing in that behalf authorise any person (upon production, if so required,

of his authority), to enter and inspect the land specified in the authority, and anyone who obstructs or impedes any person acting under and in accordance with any such authority shall be liable on summary conviction to a fine not exceeding twenty pounds.

Provisions as to small holdings of less than one acre.

20.—(1) Subject to the provisions of this section, a county council may provide a holding of less than one acre if it is not less than half an acre and has a cottage erected thereon, and such a holding shall be deemed to be a small holding for the purposes of the principal Act.

(2) As respects holdings to which this section relates provided by a county council during such period after the passing of this Act as may be specified by the Board of Agriculture and Fisheries with the consent of the Treasury, the county council shall keep separate accounts of all receipts and expenditure in respect thereof, and at the end of each financial year ending on the thirty-first day of March the excess of the expenditure over the receipts or of the receipts over the expenditure during that year shall be paid to the county council by the local authority, for the purposes of Part III. of the Housing of the Working Classes Act, 1890, of the district in which the holdings are situate, or to that authority by the county council, as the case may be, and any amount so paid or received by the local authority shall be treated as if it was expenditure or receipts of the authority in carrying out a scheme for the exercise of their powers under that Part approved by the Local Government Board.

53 & 54 Vict. c. 70.

(3) As respects holdings to which this section relates provided by a county council after the expiration of the period so specified, the local authority, for the purposes of Part III. of the Housing of the Working Classes Act, 1890, of the district in which the holdings are situate may contribute or agree to contribute to the expenses of providing such holdings, and any sums so payable to the county council by the local authority shall be treated as expenses of the local authority under Part III. of that Act.

(4) Any question as to the amount payable to or by a local authority under this section may be determined by the Local Government Board.

(5) Any receipts and expenditure of the council of a county borough in respect of the provision of holdings to which this section relates shall be treated as if they were receipts and expenditure of the council in carrying out such a scheme as aforesaid.

Provisions as to allotments.

21.—(1) The council of any borough urban district or parish may purchase any fruit trees, seeds, plants, fertilizers or implements required for the purposes of allotments cultivated as gardens, whether provided by the council or otherwise, and sell any article so purchased to the cultivators, or, in the case of

implements, allow their use, at a price or charge sufficient to cover the cost of purchase.

(2) The powers conferred by the preceding subsection shall be exerciseable by a council only where in the opinion of the council the facilities for the purchase or hire of the articles therein referred to from a society on a co-operative basis are inadequate.

(3) Rules made by a council under section twenty-eight of the principal Act, shall, unless otherwise expressly provided, apply to an allotment, though held under a tenancy made before the rules come into operation.

(4) Any person who by any act done without lawful authority or by negligence causes damage to any crops growing on an allotment cultivated as a garden, shall be liable on summary conviction to a penalty not exceeding five pounds, but this provision shall not apply unless notice of the provision is conspicuously displayed on or near the allotment.

(5) Stamp duty shall not be payable on any lease or agreement for the letting of any allotment or garden, whether provided under the principal Act or otherwise, or on any duplicate or counterpart of any such lease or agreement where the rent does not exceed ten shillings per annum and no premium is paid.

Power of appropriation of land.

22.—(1) A council of a borough, urban district, or parish may, in a case where no power of appropriation is otherwise provided, with the consent of the Board of Agriculture and Fisheries and the Local Government Board, and subject to such conditions as to the repayment of any loan obtained for the purpose of the acquisition of land or otherwise as the last-mentioned Board may impose,—

(*a*) appropriate for the purpose of allotments any land held by the council for other purposes of the council; or

(*b*) appropriate for other purposes of the council land acquired by the council for allotments.

(2) This section shall apply, in the county of London, to the council of the county and to any metropolitan borough council.

Agreement as to compensation where land is let for provision of allotments.

23. Where land is let for the provision of allotments either to a council under the principal Act or to an association formed for the purpose of creating or promoting the creation of allotments, the right of the council or association to claim compensation from the landlord on the determination of the tenancy shall be subject to the terms of the contract of tenancy, notwithstanding the provision of any Act to the contrary:

Provided that this section shall not prejudice or affect any right on the part of a person holding under a tenancy granted by the council or association to claim compensation from the council or association on the determination of his tenancy.

Power of metropolitan boroughs as to allotments.

24. The powers as to allotments conferred on borough councils by the principal Act may be exercised by a metropolitan borough council, and the expenses so incurred by a council shall be defrayed, and money for such purpose may be borrowed, under and in accordance with the provisions of the Public Health (London) Act, 1891, as if such expenses were incurred by the council under that Act.

54 & 55 Vict. c. 76.

Minor amendments of principal Act.

25.—(1) The provisions of the principal Act specified in the first column of the Second Schedule to this Act shall be amended in the manner specified in the second column of that schedule.

(2) Subsection (2) of section twenty-seven of the principal Act is hereby repealed.

PART III.

RECOUPMENT OF LOSSES INCURRED BY COUNCILS.

Recoupment of losses incurred in exercise of powers under principal Act.

26.—(1) At the end of the financial year ending on the thirty-first day of March in the year nineteen hundred and twenty and of each of the six succeeding years the Board shall pay to a council of a county the loss (if any) which may be shown to the satisfaction of the Board of Agriculture and Fisheries to have been reasonably or necessarily incurred by the council during the financial year in the exercise of their powers under the principal Act otherwise than in relation to small holdings of less than one acre.

(2) The Board shall, on the passing of this Act, pay to a council of a county the loss (if any) which may be shown to the satisfaction of the Board to have been reasonably or necessarily incurred by the council in the exercise of their powers under the principal Act during the period from the first day of January nineteen hundred and eight to the thirty-first day of March nineteen hundred and nineteen.

(3) In calculating for the purposes of this section the amount of any loss incurred by a council, there shall be included all sums paid by the council by way of interest, or sinking fund, or other loan charges on account of loans obtained for the purpose of acquiring and adapting land for small holdings, and the amount of the loss shall be determined under and in accordance with regulations made by the Board with the approval of the Treasury.

(4) Until the thirty-first day of March nineteen hundred and twenty-six, a council of a county shall not incur expenditure under section forty-nine of the principal Act (which relates to co-operative societies), without the consent of the Board.

(5) Subsection (4) of section six and section twenty-one of the principal Act are hereby repealed.

(6) This section shall apply to losses incurred by the council of a county borough in the exercise of their powers under the principal Act in relation to small holdings.

Recoupment of capital losses.

27.—(1) The value of the interest of the council of a county in all land acquired by the council under the principal Act, other than land acquired by the council acting in default of a district or parish council and small holdings of less than one acre, and vested in the council on the first day of April nineteen hundred and twenty-six, shall be ascertained as on that date by a valuation made by one or more persons agreed on by the Board of Agriculture and Fisheries and the council, or failing such agreement, appointed by the President of the Surveyors' Institution, and where, owing to the conditions of tenancy on which any such land is let or held, or to any rent-charge to which it is subject, or otherwise, the value of the interest of the council in that land is a minus amount, that amount shall be brought into account for the purposes of the valuation aforesaid.

The value of the interest of the council in such land as aforesaid shall for the purposes of this section be deemed to be such as in the opinion of the person or persons by whom the value is ascertained will allow the value so ascertained, and all expenses which may be incurred by the council in relation to the land to be recouped out of the purchase money or rents which might reasonably be expected to be obtained if the land were sold or let by the council for small holdings or allotments, as the case may be.

(2) There shall also at the same date be ascertained by agreement between the Board and the council, or, in default of agreement, by an accountant appointed by the Treasury, the amount of the total capital liabilities of the council at the same date in respect of the acquisition and adaptation of such land as aforesaid.

(3) If the amount of the liabilities so ascertained as aforesaid exceeds the value of the interest of the council in the land as so ascertained, the Board shall pay to the council as from the same date such part of the interest and sinking fund or other loan charges payable by the council in respect of money borrowed to defray the expenditure as is proportionate to the amount by which such liabilities exceed the value so ascertained.

(4) The Board and the council shall each bear their own costs incurred in connexion with the ascertainment of any such liabilities or value as aforesaid, and shall contribute in equal shares to the charges of any person appointed to determine any such liabilities or value.

(5) This section shall apply to the council of a county borough in respect of land acquired by the council for the purposes of small holdings.

PART IV.

GENERAL.

Provisions as to commons and open spaces. 29 & 30 Vict. c. 122.

28.—(1) Any land which is, or forms part of, a metropolitan common within the meaning of the Metropolitan Commons Act, 1866, or which is subject to regulation under an order or scheme made in pursuance of the Inclosure Acts, 1845 to 1899, or under any local Act or otherwise, or which is or forms part of any town or village green, or of any area dedicated or appropriated as a public park, garden, or pleasure ground, or for use for the purposes of public recreation, shall not be appropriated under this Act by a council for small holdings or allotments, and shall not be acquired by a council or by the Board of Agriculture and Fisheries under the principal Act except under the authority of an order for compulsory purchase made under the principal Act, which so far as it relates to such land shall be provisional only, and shall not have effect unless it is confirmed by Parliament.

(2) The Board of Agriculture and Fisheries, in giving or withholding their consent under this Act to the appropriation and in confirming an order for compulsory acquisition by a council for the purpose of small holdings or allotments of any land which forms part of any common, and in the exercise by the Board of their powers of acquiring land under this Act, shall have regard to the same considerations and shall hold the same inquiries as are directed by the Commons Act, 1876, to be taken into consideration and held by the Board before forming an opinion whether an application under the Inclosure Acts shall be acceded to or not. Any consent by the Board of Agriculture and Fisheries for the appropriation of land forming part of any common for the purpose of small holdings or allotments shall be laid before Parliament while Parliament is sitting, and, if within twenty-one days in either House of Parliament a motion is carried dissenting from such appropriation, the order of the Board shall be cancelled.

39 & 40 Vict. c. 56.

(3) Where an order for compulsory purchase to which this section applies or a consent by the Board to the appropriation of land provides for giving other land in exchange for the common or open space to be purchased or appropriated, the order for compulsory purchase or an order made by the Board in relation to the consent for appropriation may vest the land given in exchange in the persons in whom the common or open space purchased or appropriated was vested subject to the same rights, trusts, and incidents as attached to the common or open space and discharges the land purchased or appropriated from all rights, trusts, and incidents to which it was previously subject.

(4) Nothing in the principal Act shall be deemed to authorise the acquisition of any land which forms part of the trust property to which the National Trust Act, 1907, applies. 7 Edw. 7. C. cxxxvi. Local and Private.

29. The powers conferred upon a tenant for life by the Settled Land Acts, 1882 to 1890, shall include the following further power:— Amendment of Settled Land Acts, 1882 to 1890.

A power at any time, or times, to make a grant or grants of any part or parts of the settled land in fee simple or absolutely, or a lease or leases for any term of years without any consideration, or at a nominal price, annuity or rent, or at less than the best price, annuity or rent that can reasonably be obtained for the purpose of the Small Holdings and Allotments Acts, 1908 to 1919, and any such grant as aforesaid shall be deemed to be a sale within the meaning of the said Settled Land Acts: Provided that, except under an order of the court, no more than two acres in the case of land situate in an urban district or ten acres in the case of land situate in a rural district in any one parish shall be granted or leased under this power for the purpose of the said Small Holdings and Allotments Acts or under the similar power conferred by the Housing, Town Planning, &c. Act, 1919, for the purpose of the erection of dwellings for the working classes or the provision of gardens to be held in connexion therewith or for all of such purposes together without payment of the full-price annuity or rent for any land granted or leased in excess of such quantity. 9 & 10 Geo. 5. c. 35.

30.—(1) For removing doubts it is hereby declared that section one of the Defence of the Realm (Acquisition of Land) Act, 1916, applies to land of which possession has been taken by the Board of Agriculture and Fisheries under the powers conferred by Regulations 2L and 2M of the Defence of the Realm Regulations, and that the Board are entitled whilst in possession by themselves or by any person deriving title under them of the land, after the termination of the present war, to exercise in relation thereto any of the powers conferred by those regulations for such term and subject to such conditions as are mentioned in the said Act. Provisions as to land taken under the Defence of the Realm Regulations. 6 & 7 Geo. 5. c. 63.

(2) Where at the termination of the present war a local authority is exercising powers under the said Regulation 2L in respect of land of which the local authority is owner or occupier, the local authority may continue to exercise those powers in relation to that land until the expiration of two years from the termination of the present war, and the provisions of subsection (6) of the said regulation shall apply accordingly.

Expenses.

31. The expenses of the Board of Agriculture and Fisheries under this Act to such extent as may be sanctioned by the Treasury shall, except so far as is otherwise expressly provided, if incurred for the purposes of Part I. of this Act, be defrayed out of moneys provided by Parliament, and if incurred for the purposes of any other Part of this Act be defrayed out of the Small Holdings Account.

Construction.

32.—(1) This Act, so far as it amends the principal Act, shall be construed as one with that Act, and references in this Act to the principal Act, or to any provision of the principal Act, shall, where the context permits, be construed as references to the principal Act, or the provisions of the principal Act as amended by this Act.

(2) References to small holdings provided, and to land acquired, under the principal Act shall be construed as including references to small holdings provided and land acquired under any enactment repealed by the principal Act.

Repeal.

33. The enactments mentioned in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

Short title.
8 Edw. 7. c. 36.
10 Edw. 7. & 1 Geo. 5. c. 35.

34. This Act may be cited as the Land Settlement (Facilities) Act, 1919, and the Small Holdings and Allotments Acts, 1908 and 1910, and so much of this Act as amends those Acts may be cited together as the Small Holdings and Allotments Acts, 1908 to 1919.

SCHEDULES.

FIRST SCHEDULE.

Section 9.

1. Every annuity shall be charged on and payable out of the county fund or borough fund or rate, as the case may be, of the county or borough by the council of which the annuity is payable.

2. The council shall issue a certificate of the annuity to the person entitled thereto (in this schedule referred to as "the annuitant"), and for the purposes of this provision the person who could, if the land had been disposed of for cash, have given a good discharge for the purchase money, shall be deemed to be the person entitled to the annuity.

If any question arises as to the person to whom a certificate ought to be issued, that question shall be referred to and decided by the Board of Agriculture and Fisheries, whose decision shall be final and conclusive.

3. If in any case the Board think it desirable so to do for the purpose of protecting the interests of persons entitled to any mortgage, charge, or other incumbrance on an annuity, they may direct that the certificate to be issued in respect of the annuity shall be issued to and held by such persons as they appoint to be trustees for the purpose, and the persons so appointed shall, subject to the provisions of any regulations

made under this schedule, be deemed to be the persons entitled to the annuity.

4. Any annuity may be divided at the option of the annuitant into two or more annuities of any amount not being less than one pound, and any annuities whether sub-divided or not may be consolidated with other annuities payable by the same council as the annuitant may direct.

5. An annuity shall be payable by equal half-yearly payments on the thirty-first day of March and thirtieth day of September in every year, and the first half-yearly payment in respect of the annuity, or, if a full half-yearly payment has not then accrued due, payment of a proportionate part of the annuity, shall be made on the half-yearly day which occurs next after the date on which the land in respect of which the annuity is issued is acquired.

6. The council shall deliver to the annuitant or send to him by post a warrant or order on the county or borough treasurer, as the case may be, for every payment due to him.

7. An annuity shall be included among the securities upon which a trustee may invest under the Trustee Act, 1893.

8. If within thirty days after a payment in respect of an annuity becomes due the payment is not made, the annuitant may recover the amount thereof against the council in any court of competent jurisdiction.

9. The annuitants, without prejudice to other remedies, may enforce payment of arrears of their annuities by the appointment of a receiver as though each annuity was interest on a mortgage granted to them by the council under the Local Government Act, 1888, or the Public Health Act, 1875, as the case may be.

10. The Local Government Board may make regulations with respect to the keeping by a council of a register of annuitants, and with respect to the transfer and transmission of annuities, and with respect to the redemption of annuities, and the creation of a sinking fund by councils for that purpose, and the Board of Agriculture and Fisheries may make regulations for the purpose of otherwise carrying the provisions of this schedule into effect.

11. No notice of any trust expressed, implied or constructive shall be receivable by a council in respect of an annuity, and no entry with respect to any such trust shall be made in any register of annuitants.

SECOND SCHEDULE.

Section 26.

Minor Amendments of Principal Act.

Provision of the Principal Act to be amended.	Amendment.
Section 9 - -	In paragraph (*b*) of subsection (2) after the word "let" there shall be inserted the words "or sell."
Section 23 - -	In subsection (1) the words "for the labouring population" and "belonging to the labouring population" and the words from "and that such allotments cannot" to "applicants for the same" shall be omitted. Subsection (3) shall be omitted.

Provision of the Principal Act to be amended.	Amendment.
Section 24 - -	In subsection (1) after the word "allotments" there shall be added the words "by any person or by an "association to which allotments may be let "under this Act," and the words "(other than boroughs)" shall be omitted. In subsection (4) the words "other than a borough" shall be omitted.
Section 27 - -	In subsection (1) after the words "quarter's rent" there shall be added the words "(except where the yearly rent is twenty shillings or less)." At the end of subsection (4) there shall be inserted the words "except with the consent of the council." In subsection (6) after the words "system or" there shall be inserted the words "of letting or selling."
Section 34 - -	In subsection (1) the word "labouring" shall be omitted.
Section 42 - -	In subsection (1) for the words "attaching to small holdings or allotments provided by the council" there shall be substituted the words "letting to tenants of small holdings and allotments," and in subsection (2) for the words "attached to the" there shall be substituted the words "let to tenants of."
Section 43 - -	For the word "may" there shall be substituted the word "shall."
Section 46 -	In subsection (1) after the word "do" there shall be inserted the words "or such shorter notice as may "be required by the order for the compulsory "hiring of the land."
Section 47 - -	In subsection (2) for the words "subject in the case "of land hired by agreement to any agreement to "the contrary" there shall be substituted the words "subject to any provision to the contrary in the agreement or order for hiring."
Section 49 - -	In subsection (1) and subsection (2) after the word "county" in both places where it occurs there shall be inserted the words "or borough or urban district." In subsection (3) the words "under the provisions of this Act" shall be omitted.

Provision of the Principal Act to be amended.	Amendment
Section 53 - -	In subsection (4) after the words "adapting land for allotments" there shall be inserted the words "and the council of a borough or urban district "may borrow for the purpose of grants or "advances to a co-operative society."
Section 58 - -	In subsection (1) the word "(England)" shall be omitted.
Schedule I., Part II.	In paragraph (2) (*b*) after the word "holdings" there shall be added the words "or allotments as the case may be." In paragraph (6) after the word "expenses" there shall be added the words "as the council shall consider or."

THIRD SCHEDULE.

Section 33.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
8 Edw. 7. c. 36.	The Small Holdings and Allotments Act, 1908.	Subsection (3) of section four; subsection (4) of section six; subsection (3) of section seven; section eight; subsections (1) and (3) of section nine; section sixteen; section twenty-one; in section twenty-three the words "for the labouring population" and "belonging to the labouring population" and the words from "and that such allotments cannot" to "applicants for the same" and subsection (3); in section twenty-four the words "other than boroughs" and "other than a borough"; subsection (2) of section twenty-seven; section thirty-one; subsection (3) of section thirty-two; in section thirty-four the word "labouring"; subsection (3) of section forty-one in subsection (3) of section forty-nine the words "under the provisions of this Act" and in section fifty-eight the word "(England)."

Session and Chapter.	Short title.	Extent of Repeal.
6 & 7 Geo. 5. c. 38.	The Small Holding Colonies Act, 1916.	In section one the words "during the "continuance of the present war and "a period of twelve months there-"after."
8 & 9 Geo. 5. c. 26.	The Small Holding Colonies (Amendment) Act, 1918.	Section one from "Provided that" to "the same in feu."

CHAPTER 60.

An Act to amend the enactments relating to Housing, Town Planning, and the acquisition of Small Dwellings in Scotland. [19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

HOUSING OF THE WORKING CLASSES.

Schemes under Part III. of Act of 1890.

Duty of local authority to prepare housing schemes. 53 & 54 Vict. c. 7.

1.—(1) It shall be the duty of every local authority within the meaning of Part III. of the Housing of the Working Classes Act, 1890 (in this Act referred to as the principal Act), to consider the needs of their district with respect to the provision of houses for the working classes, and within three months after the passing of this Act, and thereafter as often as occasion arises, to prepare and submit to the Scottish Board of Health (in this Act referred to as the Board) a scheme for the exercise of their powers under the said Part III.

(2) A scheme under this section shall specify—

(*a*) the approximate number and nature of the houses which, in the opinion of the local authority, are required adequately to supply the needs of their district;

(*b*) the approximate number and the nature of the houses to be provided by the local authority, and wherever possible the average number of houses per acre;

(*c*) the approximate extent of land to be acquired and the localities in which land is to be acquired;

(*d*) the time within which the scheme or any part thereof is to be carried into effect;

and the scheme may contain such incidental, consequential, and supplemental provisions (including provisions as to the subsequent variation of the scheme) as may appear necessary or proper for the purpose of the scheme.

(3) The Board may approve any such scheme or any part thereof without modification or subject to such modifications as they think fit, and the scheme or part thereof when so approved shall be binding on the local authority; but if the Board consider the scheme inadequate they may refuse to approve the scheme and require the authority to prepare and submit to them an adequate scheme within such time as they may fix, or they may approve the scheme or part thereof subject to the condition that the authority prepare and submit to them a further scheme within such time as they may fix: Provided that local authorities in preparing, and the Board in approving, any scheme shall take into account, and, so far as possible, preserve existing erections of architectural, historic, or artistic interest, and shall have regard to the natural amenities of the locality.

(4) Before the Board finally approve a scheme, the local authority shall furnish to them estimates of the cost of the scheme and of the rents expected to be derived from the houses provided under the scheme.

(5) If the Board consider as respects any local authority that an occasion for the preparation of a new scheme has arisen, they shall give notice to that effect to the local authority, and thereupon such an occasion shall be deemed to have arisen.

(6) Where the local authorities concerned or the Board are of opinion that a scheme should be made affecting the districts of two or more local authorities, such a scheme shall be prepared by the local authorities jointly, and may provide for joint action being taken by those local authorities, and for the apportionment amongst the authorities of any expense incurred in carrying the scheme into effect.

(7) Local authorities in preparing, and the Board in approving, schemes shall make inquiry respecting and take into account any proposals by other bodies or persons to provide housing accommodation within a reasonable time.

(8) Where any proposals as to the provision of houses for the working classes have before the passing of this Act been submitted to the Board by a local authority, and those proposals have been approved by the Board either before or after the passing of this Act, the proposals shall be treated, for any of the purposes of this section, as if they were a scheme submitted under this section.

Duty of local authority to carry out approved schemes.

2. It shall be the duty of a local authority on which obligations are imposed by any scheme approved under the foregoing section of this Act to carry that scheme into execution within

such time as may be specified in the scheme or within such further time as may be allowed by the Board.

Power of Board to act in place of Local Authorities.

Power of Board to act in place of local authority.

3.—(1) Where the Board are of opinion that a local authority have failed, or, in cases where a joint scheme has been or, in the opinion of the Board, ought to be prepared, the local authorities concerned have failed to fulfil their duty as to the preparation of schemes under the foregoing provisions of this Act or their obligations under any such scheme, the Board may cause a public local inquiry to be held by a person appointed by the Board, not being a member of the Board or in their employment, and, if after the inquiry the Board are satisfied that there has been such a failure on the part of the local authority or authorities concerned, the Board may themselves prepare and carry into execution a scheme, or take such steps as may be necessary to carry into execution any scheme prepared by the local authority or by two or more local authorities jointly, and shall for that purpose have all the powers of a local authority under the Housing Acts, and those Acts shall, with the necessary modifications and adaptations, apply accordingly.

(2) Any expenses incurred by the Board in the exercise of such powers as aforesaid shall, in the first instance, be paid out of moneys provided by Parliament, but the amount certified by the Board to have been so expended, and to be properly payable by a local authority, shall on demand be paid to the Board by the local authority and shall be recoverable as a debt due to the Crown, and the payment of the sum so payable to the Board shall be a purpose for which the local authority may borrow under Part III. of the principal Act.

Power of Board to act in default of local authority under Parts I. and II. of principal Act.

4. Without prejudice to any other powers for enforcing the provisions of the Housing Acts, where the Board are satisfied that any area within the district of a local authority is an area in respect of which the local authority ought to exercise their powers under Part I. or Part II. of the principal Act, the Board may by order require the local authority to make a scheme for the improvement of that area either under Part I. or under Part II. of that Act, and to do all things necessary under the Housing Acts for carrying into execution the scheme so made, and, if the local authority fail within such time as may be prescribed by the order to make a scheme to the satisfaction of the Board, and to carry the scheme into execution, the Board may themselves make and take such steps as may be necessary to carry out a scheme, and the provisions of the foregoing section of this Act in regard to the powers of the Board and to expenses incurred by the Board in the exercise thereof shall apply.

Financial Provisions.

Power to recoup losses.

5.—(1) If it appears to the Board that the carrying out by a local authority of any scheme approved under section one of this Act, or the carrying out of a rehousing scheme in connection with a scheme made under Part I. or Part II. of the principal Act, including the acquisition, clearance, and development of land included in the last-mentioned scheme, and whether the rehousing will be effected on the area included in that scheme or elsewhere, or the carrying out of any scheme approved by the Board for the provision of houses for persons in the employment of or paid by a county council, has resulted or is likely to result in a loss, the Board shall, if the scheme is carried out within such period after the passing of this Act as may be specified by the Board with the consent of the Treasury, pay or undertake to pay to the local authority or county council, as the case may be, out of moneys provided by Parliament, such part of the loss as may be determined to be so payable by regulations made by the Board, with the approval of the Treasury, subject to such conditions as may be prescribed by those regulations. Such regulations shall provide that the amount of any annual payment to be made under this section shall—

(*a*) in the case of a scheme carried out by a local authority, be determined on the basis of the estimated annual loss resulting from the carrying out of any scheme or schemes to which this section applies, subject to the deduction therefrom of a sum not exceeding the estimated annual produce of a rate of four-fifths of one penny in the pound levied in the area chargeable with the expenses of such scheme or schemes; and

(*b*) in the case of a scheme for the provision of houses for persons in the employment of or paid by a county council, be an amount equivalent to thirty per centum of the annual loan charges as calculated in accordance with the regulations on the total capital expenditure incurred by the county council for the purposes of the scheme:

Provided that the regulations shall include provisions—

(i) for the reduction of the amount of the annual payment in the event of a failure on the part of the local authority or county council to secure due economy in the carrying out and administration of a scheme, to charge sufficient rents, or otherwise to comply with the conditions prescribed in the regulations;

(ii) for the determination of the manner in which the produce of a rate of four-fifths of one penny in the pound shall be estimated; and

(iii) for any adjustment which may be necessary in consequence of any difference between the estimated annual produce and the actual produce of the said rate of four-fifths of one penny in the pound:

Provided further, that every regulation so made shall be laid before both Houses of Parliament as soon as may be after it is made, and, if an Address is presented by either House within twenty-one days from the date on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, but without prejudice to the validity of anything previously done thereunder.

(2) Where a loan is made by the Public Works Loan Commissioners for the purposes of a scheme towards the losses on which the Board is liable to contribute under this section, the loan shall, notwithstanding anything in section three of the 9 Edw. 7. c. 44. Housing, Town Planning, &c. Act, 1909, be made on such terms and conditions as the Treasury may prescribe. This subsection shall be deemed to have had effect as from the first day of April, nineteen hundred and nineteen, as respects any proposals made by a local authority and approved by the Board before the passing of this Act as respects which the Board may have signified their intention to direct that they shall be treated as a scheme for the purposes of this section.

Borrowing powers of county councils in connection with the housing of employees. 52 & 53 Vict. c. 50.

6.—(1) Where money is borrowed by a county council for the purpose of the provision of houses for persons in the employment of or paid by the county council or a district committee, or of acquiring land for such houses, the maximum period for repayment shall be eighty years, and as respects money so borrowed eighty years shall be substituted for thirty years in subsection (2) of section sixty-seven of the Local Government (Scotland) Act, 1889.

(2) Where a loan is made by the Public Works Loan Commissioners to a county council for the purpose aforesaid, it shall be made on the same terms and conditions as a loan to a local authority for the purposes of the Housing Acts.

Houses for employees of district boards of control.

7. This Act shall apply for the purpose of the provision of houses for persons in the employment of or paid by a district board of control under the Lunacy (Scotland) Acts, 1857 to 1913, as it applies for the purpose of the like provision for persons in the employment of or paid by a county council.

Provisions as to the Acquisition and Disposition of Land, &c.

Provisions as to assessment of compensation.

8.—(1) Where land included in any scheme made under Part I. or Part II. of the principal Act (other than land included in such a scheme only for the purpose of making the scheme efficient and not on account of the sanitary condition of

the premises thereon or of those premises being dangerous or prejudicial to health) is acquired compulsorily, the compensation to be paid for the land, including any premises thereon which are in an insanitary condition or are dangerous or prejudicial to health as aforesaid, shall be the value at the time when the valuation is made of the land as a site cleared of buildings and available for development in accordance with the building regulations for the time being in force in the district:

Provided that, if in the opinion of the Board it is necessary that provision should be made by the scheme for the rehousing of persons of the working classes on the land or part thereof when cleared, or that the land, or part thereof, when cleared should be laid out as an open space, the compensation payable to all persons interested in any land included in the scheme (other than as aforesaid), including any premises thereon which are in an insanitary condition or are dangerous or prejudicial to health as aforesaid, for their respective interests in such land or premises, shall be reduced by an amount ascertained in accordance with the rules set forth in the First Schedule to this Act.

(2) The provisions of sections twenty-one and forty-one of the principal Act shall cease to apply as respects lands to which the provisions of this section apply in so far as such first-mentioned provisions are inconsistent or in conflict with the provisions of this section.

Power of entry on land compulsorily acquired.

9. Where an order authorising a local authority to purchase land compulsorily for the purpose of Part III. of the principal Act has been made and confirmed under the provisions of Part I. of the Housing, Town Planning, &c. Act, 1909, then, at any time after notice to treat has been served, the local authority may, after giving not less than fourteen days' notice to the owner and occupier of the land, enter on and take possession of the land or such part thereof as is specified in the notice without previous consent or compliance with sections eighty-three to eighty-eight of the Lands Clauses Consolidation (Scotland) Act, 1845, but subject to the payment of the like compensation for the land of which possession is taken and interest on the compensation awarded as would have been payable if those sections had been complied with.

8 & 9 Vict. c. 19.

Amendment of procedure for compulsory acquisition of land.

10.—(1) Where the confirming of an order made under the First Schedule to the Housing, Town Planning, &c. Act, 1909, is opposed, the Board shall, before confirming the order, and subject to the provisions of the next succeeding subsection, duly consider the report of the person by whom, under paragraph (6) of that schedule, a public inquiry is held, and the Board shall not confirm any order for the compulsory acquisition of land under that schedule, even when the order is unopposed, if they are of opinion that the land is unsuited for the purpose for which it is proposed to be acquired.

(2) Notwithstanding the provisions of paragraph (6) of the First Schedule to the Housing, Town Planning, &c. Act, 1909, any order for the compulsory acquisition of land which is duly submitted after the date of the passing of this Act, and before the expiration of two years from that date, by a local authority under the provisions of Part I. of the Housing, Town Planning, &c. Act, 1909, may be confirmed by the Board without a public inquiry.

(3) The amendments to the said schedule effected by this Act shall apply to that schedule as originally enacted, but not as applied by any other enactment.

Additional powers as to acquisition of land and houses.

11.—(1) The powers of a local authority to acquire land for the purposes of Part III. of the principal Act shall be deemed to include power—

(*a*) to acquire any houses or other buildings on the land proposed to be acquired as a site for the erection of houses for the working classes; and

(*b*) to acquire any right or interest in any houses which might be made suitable as houses for the working classes, together with any lands occupied, or which may be occupied, with such houses;

and the local authority shall have power to alter, enlarge, repair, and improve any such houses or buildings so as to render them in all respects fit for habitation as houses for the working classes.

(2) The purposes for which land may be acquired under Part III. of the principal Act shall be deemed to include—

(i) the selling, leasing or feuing of the land by the local authority under the powers conferred by this Act, with a view to the erection thereon of houses for the working classes by persons other than the local authority; and

(ii) the selling, leasing or feuing by the local authority, under the powers conferred by this Act, of any part of the land acquired with a view to the use thereof for purposes which in the opinion of the local authority are necessary or desirable for or incidental to the development of the land as a building estate.

(3) Subject to the consent of the Board and to such conditions as the Board may prescribe, a local authority may, for the purposes of Part III. of the principal Act, contract for the purchase by or leasing to the authority of houses suitable for the working classes, whether built at the date of the contract or intended to be built thereafter.

Power to acquire land in advance.

12. Where a local authority have, under section four of the principal Act, passed a resolution that an area is an unhealthy area and that an improvement scheme ought to be made in

respect of such area, or have, under section thirty-nine of the principal Act, passed a resolution directing a scheme to be prepared for the improvement of an area, the local authority may, with the consent of and subject to any conditions imposed by the Board, acquire by agreement any lands included within the area, notwithstanding that the scheme may not at the time of acquisition have been made by the local authority or confirmed or sanctioned by the Board; and the acquisition of such lands shall be deemed to be a purpose for which the local authority may borrow money under and subject to the provisions of Part I. or, as the case may be, Part II. of the principal Act.

Power to heir of entail to sell land for housing purposes.

13. Without prejudice to any powers, whether statutory or otherwise, already enjoyed by an heir of entail in possession of an entailed estate in Scotland to sell or grant feus of any part of such estate, any such heir in possession may, notwithstanding any prohibition or limitation in any deed of entail or in any Act of Parliament, sell or feu to a local authority any part or parts of such estate for any purpose for which a local authority may acquire land under the Housing Acts, or to a public utility society or housing trust, for the purpose of the provision of houses for the working classes, without its being necessary to obtain the consent of the next heir, and without any restriction as to the extent of ground to be sold or feued, excepting, however, from the provisions of this section, the subjects excepted in section four of the Entail (Scotland) Act, 1914: 4 & 5 Geo. 5. c. 43.

Provided that—

(i) the price of land so sold shall, in accordance with the provisions of the Entail Acts, be invested for behoof of the heir of entail in possession and succeeding heirs of entail, and the feu duty shall be received for the same behoof; and

(ii) it shall not be lawful for the heir of entail in possession to take any grassum or valuable consideration other than the feu-duty for granting any such feu.

Powers of dealing with land acquired.

14.—(1) Where a local authority have acquired or appropriated any land for the purposes of Part III. of the principal Act, then, without prejudice to any of their other powers under that Act, the authority may—

(*a*) lay out and construct public streets or roads and open spaces on the land;

(*b*) with the consent of the Board, sell, lease, or feu the land or part thereof to any person under the condition that that person will erect and maintain thereon such number of houses suitable for the working classes as may be fixed by the local authority in accordance

with plans approved by them, and when necessary will lay out and construct public streets or roads and open spaces on the land, or use the land for purposes which, in the opinion of the local authority, are necessary or desirable for or incidental to the development of the land as a building estate in accordance with plans approved by the local authority;

(*c*) with the consent of the Board, sell the land or excamb it for land better adapted for those purposes, either with or without paying or receiving any money for equality of exchange;

(*d*) with the consent of the Board, sell or lease any houses on the land or erected by them on the land, subject to such conditions, restrictions, and stipulations as they may think fit to impose either in regard to the maintenance of the houses as houses for the working classes or otherwise in regard to the use of the houses.

(2) Where a local authority under this section sell, feu, or lease land subject to any condition as to the erection thereon of houses, or the laying out and construction of streets or roads or the development of the land, there shall be included in the conveyance, feu-contract, feu-charter, or lease all such restrictions, conditions, and stipulations as may be necessary to secure compliance with the condition aforesaid within a reasonable period, and to limit the amount of the rent which may be charged in respect of the land or any part thereof, or in respect of the houses erected thereon; and the local authority may contribute or agree to contribute towards the expenses of the development of the land and the laying out and construction of streets or roads thereon, subject to the condition that such streets or roads are dedicated to the public use.

(3) Land sold, feued, or leased under the provisions of this section shall be sold, feued, or leased at the best price or for the best feu-duty or rent that can reasonably be obtained, and any capital money received in respect of any transaction under this section shall be applied in or towards the purchase of other land for the purposes of Part III. of the principal Act, or, with the consent of the Board, to any purpose, including the re-payment of borrowed money, to which capital money may properly be applied.

Provisions for encouraging the provision of Houses by Public Utility Societies and Housing Trusts and otherwise.

Powers of promoting and assisting public utility societies.

15.—(1) A local authority within the meaning of Part III. of the principal Act, or a county council, may promote the formation or extension of, or subject to the provisions of this

section, assist a public utility society whose objects include the erection, improvement, or management of houses for the working classes.

(2) Any such local authority or county council with the consent of and subject to any regulations or conditions which may be made or imposed by the Board, may, for the assistance of such a society—

(*a*) make grants or loans to the society;

(*b*) subscribe for any share or loan capital of the society;

(*c*) guarantee or join in guaranteeing the payment of interest on money borrowed by the society or of any share or loan capital issued by the society;

on such terms and conditions as to rate of interest and repayment or otherwise and on such security as the local authority or council think fit, and, notwithstanding the provisions of section four of the Industrial and Provident Societies Act, 1893, where a local authority or county council assist such a society under this subsection, the local authority or council shall not be prevented from having or claiming any interest in the shares of the society exceeding two hundred pounds. 56 & 57 Vict. c. 39.

(3) Any expenses incurred by a local authority under the provisions of this section shall be defrayed in the same manner as the expenses of the local authority under Part III. of the principal Act, and the raising of money for the purpose of making grants or loans to or subscribing for the capital of a society under this section shall be a purpose for which the authority may borrow under that Part of that Act.

(4) Any expenses incurred by a county council under this section shall be defrayed out of the general purposes rate, and the raising of money for the purpose of making grants or loans to or subscribing for the capital of a society under this section shall be a purpose for which the county council may borrow, subject to the provisions of section sixty-seven of the Local Government (Scotland) Act, 1889: Provided that—

(*a*) notwithstanding anything contained in that Act, the ratepayers of a police burgh shall not be assessed by the county council for any such expenses; and

(*b*) where money is borrowed by the county council for the purpose aforesaid, the maximum period for repayment shall be fifty years, and as respects money so borrowed "fifty years" shall be substituted for thirty years in subsection (2) of section sixty-seven of that Act.

Power of contributing to costs incurred by public utility societies and housing trusts.

16.—(1) Where a public utility society or a housing trust has submitted to the Board a scheme for the provision of houses for the working classes and the scheme is approved by the Board then, if the scheme is carried out within such period after the passing of this Act as may be specified by the Board with the consent of the Treasury, the Board may pay or undertake

to pay out of moneys provided by Parliament such contributions towards the cost of carrying out the scheme as may be determined to be payable under regulations made by the Board, with the approval of the Treasury, and subject to such conditions (including conditions as to audit of accounts by auditors appointed by the Board) as may be prescribed by those regulations.

(2) Such regulations shall provide that the amount of any annual payment to be made under this section shall be equivalent to thirty per centum of the annual loan charges which would have been payable in accordance with the regulations on the total capital expenditure incurred by the public utility society or housing trust for the purposes of the scheme if the amount of the expenditure had been borrowed from the Public Works Loan Commissioners:

Provided that the regulations shall include provision for the reduction of the amount of the annual payment in the event of the Board being satisfied that the capital expenditure incurred by the public utility society or housing trust has been excessive.

Every regulation so made shall be laid before both Houses of Parliament as soon as may be after it is made, and, if an Address is presented by either House within twenty-one days from the date on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, but without prejudice to the validity of anything previously done thereunder.

Loans to public utility societies.

17.—(1) The purposes referred to in subsection (1) of section sixty-seven of the principal Act for which the Public Works Loan Commissioners may advance money on loan shall extend to the purchase of houses which may be made suitable as houses for the working classes and to the purchase and development of land by a public utility society.

38 & 39 Vict. c. 89.

(2) Notwithstanding anything contained in the Public Works Loans Act, 1875, or any Act amending that Act, where a loan is made by the Public Works Loan Commissioners under section sixty-seven of the principal Act to a public utility society for the purpose of carrying out a scheme for the provision of houses for the working classes approved by the Board:—

(*a*) The maximum period for the repayment of the loan shall be fifty instead of forty years:

20 & 21 Vict. c. 26.

(*b*) Money may be lent on heritable security over a lease recorded under the Registration of Leases (Scotland) Act, 1857, whereof a period not less than ten years in excess of the period fixed for the repayment of the sums advanced remains unexpired at the date of the loan:

(c) In the case of loans made during such period after the passing of this Act as may be specified by the Board, with the consent of the Treasury, the money advanced on heritable security on any land or dwellings solely may exceed two-thirds but shall not exceed seventy-five per centum of the purchase price of the land and of the cost of its development and of the houses proposed to be burdened with the heritable security as certified by the Board; but advances may be made by instalments in respect of the purchase price of the land to be acquired and of the cost of its development, and in respect of the building of any house or houses on the land burdened with the heritable security as such building progresses, so that the total of the advances does not at any time exceed the amount aforesaid; and a heritable security may accordingly be made to secure advances so to be made from time to time.

Loans to private persons.

18. During the period of two years after the passing of this Act the money which may be advanced by the Public Works Loan Commissioners to any private person for the purpose of constructing houses for the working classes on heritable security on any land or dwellings solely may, if the Commissioners think fit, and if the houses are constructed in accordance with plans and specifications approved by the Board, exceed the amount specified in subsection (2) of section sixty-seven of the principal Act, but shall not exceed seventy-five per centum of the value of the estate or interest in such land or dwellings proposed to be burdened with the heritable security; and advances may be made by instalments from time to time as the building of the houses on the land burdened with the heritable security progresses, so that the total of the advances does not at any time exceed the amount last mentioned, and a heritable security may accordingly be made to secure advances so to be made from time to time.

Loans by local authorities for the improvement of housing accommodation.

19.—(1) Where the owner of a house or building applies to the local authority of the district in which the house or building is situated for assistance for the purpose of carrying out works for the reconstruction, enlargement, or improvement of the house or building, and the authority are of opinion that after the works are carried out the house or building would be in all respects fit for habitation as a house or houses for the working classes, and that the circumstances of the district in regard to housing accommodation are such as to make it desirable that the works should be carried out, the authority may lend to the owner the whole or any part of such sum as may be necessary to defray the cost of the works and any costs, charges, or expenses incidental thereto:

Provided that the loan shall not exceed one-half of the estimated value of the property to be burdened with the heritable security for the loan, unless some additional or collateral security is given sufficient to secure the excess.

(2) Before the works are commenced full particulars of the works and, where required by the local authority, plans and specifications thereof shall be submitted to the authority for their approval, and before any loan is made the authority shall satisfy themselves that the works in respect of which the loan is to be made have been carried out in a satisfactory and efficient manner.

(3) The raising of money for the purpose of making a loan under this section shall be a purpose for which the local authority may borrow for the purposes of Part III. of the principal Act.

(4) For the purpose of this section, "owner" includes joint owner, fiar, feuar, and lessee under a lease recorded under the Registration of Leases (Scotland) Act, 1857, whereof a period of not less than ten years in excess of the period fixed for the repayment of the loan remains unexpired at the date of the loan.

Purchase of building materials from Government Department.

20. Subject to any conditions prescribed by the Board with the consent of the Treasury, any bricks or other building materials which have been acquired by a Government Department for the purpose of the erection or improvement of houses for the working classes, may, during a period of five years from the passing of this Act, be sold to any person who undertakes to use the same forthwith for the purpose of erecting or improving houses for the working-classes and to comply with the said conditions at a price sufficient to cover the cost of replacement at the time of sale of the materials so sold.

Relaxation of Building Regulations.

Relaxation of building regulations.

21.—(1) (*a*) Where in pursuance of a housing scheme to which this section applies new buildings are constructed or public streets or roads are laid out and constructed in accordance with plans and specifications approved by the Board, the provisions of any building regulations shall not apply to the new buildings and new streets or roads constructed and laid out in pursuance of the scheme, so far as those provisions are inconsistent with the plans and specifications approved by the Board, and, notwithstanding the provisions of any other Act, any street or road laid out and constructed in accordance with such plans and specifications may be taken over and thereafter maintained by the authority responsible for the maintenance of public streets, roads, or highways in the district.

(*b*) Where the Board have approved plans and specifications which in certain respects are inconsistent with the provisions of

any building regulations which are in force in the district in which the works are to be executed, any proposals for the erection therein of buildings and the laying out and construction of new streets or roads which do not form part of a housing scheme to which this section applies may, notwithstanding those provisions, be carried out if the local authority, or on appeal, the Board, are satisfied that they will involve departures from such provisions only to the like extent as in the case of the plans and specifications so approved.

(2) Where the Board are themselves carrying a housing scheme into execution, it shall not be necessary for the Board to obtain the authority of the local authority or the Dean of Guild Court for the construction of buildings, or for the laying out and construction of streets and roads as aforesaid.

(3) The housing schemes to which this section applies are schemes prepared or made by a local authority or by local authorities jointly under the Housing Acts, or by a public utility society or housing trust, or by a county council or district board of control for the provision of houses for persons in their employment or paid by them, and approved by the Board, and schemes prepared, made, or carried into execution by the Board under this Act.

Consent of local authority to erection and use of buildings.

22.—(1) Notwithstanding the provisions of any building regulations, a local authority may, during the period of three years after the passing of this Act, consent to the erection and use for human habitation of any buildings erected or proposed to be erected in accordance with any regulations made by the Board.

(2) The local authority may attach to their consent any condition which they may deem proper with regard to the situation, sanitary arrangement, and protection against fire of such buildings, and may fix, and from time to time extend, the period during which such buildings shall be allowed to be used for human habitation.

(3) If any person feels aggrieved by the neglect or refusal of the local authority to give such consent, or with the conditions on which such consent is given, or as to the period for which consent is allowed for the use of such buildings for human habitation, he may appeal to the Board, whose decision shall be final, and shall have effect as if it were the decision of the local authority.

Miscellaneous.

Publication of details of progress in connexion with approved schemes.

23. It shall be the duty of the local authority or county council, as the case may be, to furnish to the Board on the thirty-first day of March, nineteen hundred and twenty, and at intervals of six months thereafter until the thirty-first day of March, nineteen hundred and twenty-seven, a return showing for the period up to the thirty-first of March, nineteen hundred

and twenty, and thereafter for the six months preceding the date of the return—

(*a*) the number of houses completed under any approved scheme;

(*b*) the average number of apartments in such houses;

(*c*) the number of such houses occupied;

(*d*) the average cost of the completed houses so far as ascertained;

(*e*) the average rent of the houses occupied;

and the Board shall prepare and publish a summary of the returns as soon as may be after they have been received.

Penalty on re-letting or occupying house ordered to be closed.

24.—(1) If the owner of any house in respect of which a closing order is in force or any other person lets or attempts to let or occupies or permits to be occupied that house or any part thereof as a dwelling-house, he shall, on summary conviction, be liable to a penalty not exceeding twenty pounds.

(2) The owner of any such house shall not let or use the same for any purpose unless he shall previously have obtained the consent of the local authority to the purpose for which such house is proposed to be let or used, and any owner acting in contravention of this subsection shall, on summary conviction, be liable to a penalty not exceeding twenty pounds.

Repair of houses.

25.—(1) If the owner of any house suitable for occupation by persons of the working classes fails to keep such house in all respects reasonably fit for human habitation, then, without prejudice to any other powers, the local authority may serve a notice in writing upon the owner of such house requiring him within a reasonable time, not being less than twenty-one days specified in the notice, to execute such works as may be necessary to make the house in all respects reasonably fit for human habitation:

Provided that, if such house is not capable without reconstruction of being rendered fit for human habitation, the owner may, within twenty-one days after the receipt of such notice, by written notice to the local authority declare his intention of closing the house for human habitation, and thereupon a closing order shall be deemed to have become operative in respect of such house. Any question arising under this proviso shall, in case of difference between the owner and the local authority, be determined by the sheriff.

(2) If the notice of the local authority is not complied with, the authority may—

(*a*) at the expiration of the time specified in that notice if no such notice as aforesaid has been given by the owner; and

(*b*) at the expiration of twenty-one days from the determination by the sheriff if such notice has been given by

the owner, and the sheriff has determined that the house is capable without reconstruction of being made fit for human habitation,

do the work required to be done, and may recover the expenses incurred by them from the owner, and for that purpose the provisions of subsections (5) and (6) of section fifteen of the Housing, Town Planning, &c. Act, 1909, with respect to the execution of works and the recovery of expenses by local authorities and with respect to the landlords' right of appeal shall apply as if the owner were the landlord, and with such other adaptations as may be necessary.

(3) In this section "owner" shall have the same meaning as in the Public Health (Scotland) Act, 1897. 60 & 61 Vict. c. 38.

(4) This section shall be deemed to be part of Part II. of the principal Act.

Power to authorise conversion of a house into two or more dwellings.

26.—(1) When it is proved to the satisfaction of the sheriff on an application by the local authority, or the feuar, or lessee of a house that, owing to changes in the character of the neighbourhood in which such house is situate, the house cannot readily be let as a single dwelling, but could readily be let if converted into two or more dwellings, and that the provisions of the lease, or the conditions or restrictions of the feu-charter or feu-contract, do not admit of such conversion, the sheriff, after giving any person entitled to any interest in the house, or entitled to enforce such provision, condition, or restriction, an opportunity of being heard, may vary the terms of the lease, or the conditions or restrictions of the feu-charter or feu-contract so as to enable the house to be so converted, subject to such conditions and upon such terms as the sheriff may think just, and the decision of the sheriff shall be final.

(2) In this section the expression "sheriff" shall not include sheriff-substitute.

Arrangements between Board and other departments.

27. The Board may make arrangements with any other Government Department for the exercise or performance by that Department of any of their powers and duties under the Housing Acts which in the opinion of the Board could more conveniently be so exercised and performed, and in such case the Department and officers of the Department shall have the same powers and duties as are by the Housing Acts conferred on the Board and their officers.

Part I. of principal Act may be applied to districts other than burghs.

28.—(1) Notwithstanding the provisions of section three of the principal Act (which confines the application of Part I. of that Act to burghs), it shall be lawful for the local authority of any district other than a burgh to apply to the Board for an order declaring that Part I. of the said Act shall apply to their district, and the Board, if they are satisfied, after such inquiry (if any) as they may think fit, that the conditions of the whole

or any part of such district approximate as regards housing to those of a burgh, and are such that it is desirable that Part I. of the said Act should apply to such district, may make an order accordingly, and thereupon the said Part shall apply to that district.

(2) The expenses incurred in the execution of Part I. of the principal Act by the local authority of a district other than a burgh to which that Part has been applied by order as aforesaid shall be defrayed in the same manner as the expenses incurred by the local authority of a district other than a burgh in the execution of Part III. of the principal Act, and the provisions of the Housing Acts as to the defraying of such expenses shall apply accordingly.

Provisions of Housing Acts not to be affected by the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915. 5 & 6 Geo. 5. c. 97.

29. Nothing in the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915, or in the enactments amending that Act, shall be deemed to affect the provisions of section seventeen of the Housing, Town Planning, &c. Act, 1909, or to prevent a local authority from obtaining possession of any house the possession of which is required by them for the purpose of exercising their powers under the Housing Acts, or under any scheme made under those Acts.

Procedure and minor amendments of Housing Acts.

30.—(1) The amendments specified in the second column of the Second Schedule to this Act (which relate to procedure under Part I. and Part II. of the principal Act and to minor details) shall be made in the provisions of the principal Act, and the Housing, Town Planning, &c. Act, 1909, specified in the first column of that schedule as those provisions apply to Scotland.

(2) Sections fourteen and fifteen of the Housing, Town Planning, &c. Act, 1909, shall be deemed to be part of Part II. of the principal Act as that Part of that Act applies to Scotland.

Construction.

31. This Part of this Act shall be construed as one with the principal Act, and any provisions of this Part of this Act which supersede or amend any provisions of the principal Act shall be deemed to be part of that Part of the principal Act in which the provisions superseded or amended are contained, and references in this Part of this Act to the principal Act or to any provision of the principal Act shall be construed as references to that Act or provision as amended by any subsequent enactment, including this Part of this Act.

In this Part of this Act—

The expression "houses for the working classes" has the same meaning as the expression "lodging-houses for the working classes" has in the principal Act;

The expression "public utility society" means a society registered under the Industrial and Provident Societies Acts, 1893 to 1913, or any amendment thereof, the rules

whereof prohibit the payment of any interest or dividend at a rate exceeding six per centum per annum;

The expression "housing trust" means a corporation or body of persons which by the terms of its constituent instrument is required to devote the whole of its funds, including any surplus which may arise from its operations, to the provision of houses for persons the majority of whom are in fact members of the working classes, and to other purposes incidental thereto;

The expression "building regulations" means any statutory enactments, byelaws, rules, and regulations, or other provisions under whatever authority made, relating to the construction of new buildings and the laying out of and construction of new streets or roads.

PART II.

TOWN PLANNING.

Duty of local authority to prepare town-planning scheme

32.—(1) The council of every burgh, the population of which, on the first day of January, nineteen hundred and twenty-three, exceeds, according to the last census for the time being, twenty thousand, and any other local authority if required by the Board shall, within three years after that date, prepare and submit to the Board a town-planning scheme with reference to any land within the area of such council or other local authority in regard to which a town-planning scheme may be made under the Housing, Town Planning, &c. Act, 1909.

(2) Without prejudice to the powers of the council or other local authority under the said Act, every scheme to which this section applies shall deal with such matters as may be determined by regulations to be made by the Board.

(3) Every regulation so made shall be laid before both Houses of Parliament as soon as may be after it is made, and, if an Address is presented by either House within twenty-one days from the date on which that House has sat next after such regulation is laid before it praying that such regulation may be annulled, His Majesty in Council may annul the regulation but without prejudice to the validity of anything previously done thereunder.

Power of Board to require town-planning scheme.

33.—(1) Where the Board are satisfied, after holding a public local inquiry, that a town-planning scheme ought to be made by a local authority, as respects any land in regard to which a town-planning scheme may be made under the Housing, Town Planning, &c. Act, 1909, the Board may by order require a local authority to prepare and submit for their approval such a scheme, and, if the scheme is approved by the Board, to do all things necessary for enforcing the observance of the scheme or any provisions thereof effectively and for executing any

works which under the scheme or under Part II. of the Housing, Town Planning, &c. Act, 1909, the authority is required to execute.

(2) Any order made by the Board under this section shall have the same effect as a resolution of the local authority deciding to prepare a town-planning scheme in respect of the area in regard to which the order is made.

(3) If the local authority fail to prepare a scheme to the satisfaction of the Board within such time as may be prescribed by the order, or to enforce the observance of the scheme or any provisions thereof effectively, or to execute any such works as aforesaid, the Board may themselves act, in the place and at the expense of the local authority.

Previous authority to prepare or adopt town-planning scheme no longer necessary.

34. It shall not be necessary for a local authority to obtain the authority of the Board to prepare or to adopt a town-planning scheme, and accordingly for subsection (2) of section fifty-four of the Housing, Town Planning, &c. Act, 1909, there shall be substituted the following subsection:—

"(2) A local authority within the meaning of this Part of this Act may by resolution decide—

(*a*) to prepare a town-planning scheme with reference to any land within or in the neighbourhood of their district in regard to which a scheme may be made under this Act; or

(*b*) to adopt, with or without any modifications, any town-planning scheme proposed by all or any of the owners of any land with respect to which the local authority are themselves by this Act authorised to prepare a scheme:

Provided that—

(i) any such resolution shall be forthwith notified to the Board;

(ii) if any such resolution extends to land not within the district of that local authority, the resolution shall not have effect until it is approved by the Board, and the Board may, in giving their approval, vary the extent of the land to be included within the area of the proposed town-planning scheme; and

(iii) where any local authorities are desirous of acting jointly in the preparation or adoption of a town-planning scheme, they may concur in appointing out of their respective bodies a joint committee for the purpose, and in conferring with or without restrictions on any such committee any powers which the appointing authorities might exercise for the purpose, and the provisions of

section seventy-six of the Local Government (Scotland) Act, 1889 (which relates to the appointment of joint committees) shall, with the necessary modifications, apply to any joint committee so appointed."

Extension of power to make regulations as to procedure.

35.—(1) The power of the Board to make regulations under section fifty-six of the Housing, Town Planning, &c. Act, 1909, shall include power to make regulations as to the procedure consequent on the passing of a resolution by a local authority to prepare or to adopt a town-planning scheme, and provision shall be made by those regulations for securing that a local authority after passing such a resolution shall proceed with all reasonable speed with the preparation or adoption of the town-planning scheme, and shall comply with any regulations as to steps to be taken for that purpose, including provisions enabling the Board in the case of default or dilatoriness on the part of the local authority to act in the place and at the expense of the local authority. Every regulation so made shall be laid before both Houses of Parliament as soon as may be after it is made, and, if an Address is presented by either House within twenty-one days from the date on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, but without prejudice to the validity of anything previously done thereunder.

(2) Subsection (2) of section fifty-six of the said Act of 1909 shall have effect as if the following paragraph were added thereto:

"For securing that the council of the county in which any land proposed to be included in a town-planning scheme is situated (*a*) shall be furnished with a notice of any proposal to prepare or adopt such a scheme and with a copy of the draft scheme before the scheme is made, and (*b*) shall be entitled to be heard at any public local inquiry held by the Board in regard to the scheme."

Repeal of provisoes to s. 54 (4) and s. 55 (2) of 9 Edw. 7. c. 44.

36. The proviso to subsection (4) of section fifty-four and the proviso to subsection (2) of section fifty-five of the Housing, Town Planning, &c. Act, 1909 (which provisoes relate to the publication and laying before Parliament of town-planning schemes) are hereby repealed.

Power to permit development of estates pending preparation and approval of town-planning schemes.

37. The Board may by special or general order provide that where a resolution to prepare or adopt a town-planning scheme has been passed, or where before the passing of this Act the preparation or adoption of a town-planning scheme has been authorised, the development of estates and building operations may be permitted to proceed pending the preparation or adoption and approval of the town-planning scheme, subject to such

conditions as may be prescribed by the order, and, where such permission has been given, the provisions of subsection (2) of section fifty-eight of the Housing, Town Planning, &c. Act, 1909 (which relates to the rights of compensation), shall have effect as if the following proviso were added thereto :—

"Provided also that this provision shall not apply as respects any building erected, contract made, or other thing done in accordance with a permission granted in pursuance of an order of the Board allowing the development of estates and building operations to proceed pending the preparation or adoption and approval of the scheme, and the carrying out of works so permitted shall not prejudice any claim of any person to compensation in respect of property injuriously affected by the making of the scheme."

Consequential and minor amendments.

38. The amendments specified in the second column of the Third Schedule to this Act (which relate to consequential and minor matters) shall be made in the provisions of Part II. of the Housing, Town Planning, &c. Act, 1909, as those provisions apply to Scotland, mentioned in the first column of that schedule.

PART III.

ACQUISITION OF SMALL DWELLINGS.

Amendment of 62 & 63 Vict. c. 44

39. The following amendments shall be made in section one of the Small Dwellings Acquisition Act, 1899 :—

(*a*) In paragraph (*a*) of subsection (1) (which limits the amount which may be advanced for the purchase of small houses), for the words "four fifths" there shall be substituted the words "eighty-five per cent." :

(*b*) Paragraph (*b*) of subsection (1) (which further limits that amount) shall be repealed :

(*c*) In subsection (1) (which confines the making of advances to houses of a certain value) for the words "four hundred pounds" there shall be substituted the words "eight hundred pounds."

PART IV.

IMPROVEMENT OF HOUSING.

Provisions as to supply of water to houses in districts other than burghs.

40.—(1) For section one hundred and twenty-five of the Public Health (Scotland) Act, 1897 (which relates to the supply of water to houses in districts other than burghs), there shall be substituted the following section :—

"If any occupied house within the district of a local authority other than the local authority of a burgh is without a proper supply of wholesome water, the local authority shall require the owner to obtain such supply and to introduce it into

the house if it is reasonably practicable so to introduce it, and, if it is not, then to provide for such a supply immediately outside the house, or as near thereto as is reasonably practicable, and to do all such works as may be necessary, and if the owner fails, after due notice, within three months or such extended period as the local authority may prescribe, to carry out such requirement, the local authority may themselves do the necessary works, and for that purpose may use their powers of acquiring land by agreement or otherwise under this Act, and may enter upon the premises; and the local authority may recover in a summary manner from the owner the whole or a reasonable part of the expenses incurred by them under this section:

"Provided that—

(i) Where the owners of two or more houses have failed to comply with the requirements of any notice under this section and the local authority might under this section execute the necessary works for the supply of water for each house, the local authority may, if it appears to them desirable and no greater expense would be occasioned thereby, execute works for the joint supply of water for those houses, and may recover in a summary manner the whole or a reasonable part of the expenses incurred by them from such owners in such proportions from each as shall be just; and

(ii) Nothing in this section shall relieve the local authority from the duty of providing their district or any part thereof with a supply of water, where such supply is required, and can be provided at a reasonable cost.

"(2) Any question which may arise under this section shall be determined summarily by the sheriff, who shall have regard to all the circumstances of the case, and his decision shall be final."

Provision of watercloset or earthcloset in houses in districts other than burghs.

41.—(1) Without prejudice to the provisions of the Public Health (Scotland) Act, 1897, relating to sewers and drains, the local authority of every district other than a burgh shall require the owner of every occupied house or part of a house occupied by a separate family within their district to provide for each such house or part of a house a sufficient watercloset wherever it is reasonably practicable so to do, and, where that is not so practicable, a sufficient earthcloset.

(2) If the owner fails to carry out such requirement within three months after intimation thereof, the local authority themselves may execute the necessary work, and the expenses incurred by them in so doing may be recovered by them from such owner in a summary manner.

(3) Any question which may arise under this section as to what is reasonably practicable shall be determined summarily by the sheriff, who shall have regard to all the circumstances of the case, including the expense involved, and his decision shall be final.

Additional byelaws as to houses in burghs.

42.—(1) It shall be the duty of the local authority of every burgh to make, with respect to houses used or intended to be used for occupation by the working classes, byelaws relating to the following matters:—

(*a*) The maximum number of houses to be erected on a given extent of ground;

(*b*) The number of storeys in a tenement containing houses, and the arrangement of such tenements in blocks or otherwise;

(*c*) The sub-division of houses;

(*d*) The number of adult persons and children who may occupy a house, such number to be prescribed in accordance with a cubic space standard;

(*e*) The provision of a separate watercloset, bath, scullery, larder, adequate press accommodation and accommodation for the storage of coal for each house, and facilities for washing and drying clothes;

(*f*) The provision of open spaces about houses.

(2) Byelaws relating to paragraphs (*a*), (*b*) and (*f*) shall apply to new houses only; byelaws relating to paragraphs (*c*) and (*d*) shall apply to new houses and also to existing houses; byelaws relating to paragraph (*e*) shall apply to new houses and also, so far as is reasonably practicable, to existing houses.

(3) The provisions of sections one hundred and eighty-three to one hundred and eighty-seven of the Public Health (Scotland) Act, 1897 (which relate to byelaws made under that Act), shall apply to byelaws made under this section.

(4) In this section the expression "existing house" means a house erected or in the course of erection at the time when such byelaws come into force, or a house the plans for the erection of which have been approved at that time.

Additional byelaws as to buildings in districts other than burghs.

43.—(1) It shall be the duty of the local authority of every district other than a burgh to make for the whole or any part of their district byelaws under section one hundred and eighty-one of the Public Health (Scotland) Act, 1897, and when the local authority is a district committee it shall not be necessary for them to obtain the approval of the county council thereto.

(2) In addition to the matters in respect to which byelaws may be made under that section, byelaws may be made thereunder for houses or buildings intended for human habitation, or houses the mode of occupancy whereof is altered in such a manner

as to increase the number of separate houses, in respect to the following matters :—

(*a*) The approval of plans by the local authority before building or rebuilding operations are begun :
(*b*) The inspection and certification before occupation :
(*c*) The approval by the local authority of the sites :
(*d*) The maximum number of houses to be erected on a given extent of ground :
(*e*) The number of storeys in a tenement containing houses, and the arrangements of such tenements in blocks or otherwise :
(*f*) The provision of open spaces about houses :
(*g*) The provision of suitable access :
(*h*) The lighting, ventilation and cubic space of rooms :
(*i*) The structure of floors :
(*j*) The provision of a bath and of a scullery, larder, coal house, adequate press accommodation, and facilities for washing and drying clothes :
(*k*) Protection against risk of fire, and the provision of means of escape in case of fire.

Provisions relating to houses of three rooms or less and byelaws as to occupancy.

44.—(1) From and after the commencement of this Act it shall not be lawful for any person, without the consent of the local authority, to erect any house intended for human habitation with less accommodation than three apartments, and a local authority shall not give such consent, save in exceptional circumstances, nor shall a local authority or Dean of Guild Court, save in such circumstances, approve of the plans for the erection of such a house :

Provided that the foregoing provision shall not apply to a house which is in course of erection at the passing of this Act, or for the erection of which the plans have been approved before the passing of this Act.

(2)—(*a*) The local authority of every district other than a burgh shall make byelaws regulating the occupancy of houses used or intended to be used for occupation by the working classes, and prescribing, in accordance with a cubic space standard, the number of adult persons and children who may occupy such houses.

(*b*) The provisions of sections one hundred and eighty-three to one hundred and eighty-seven of the Public Health (Scotland) Act, 1897 (which relate to byelaws made under that Act), shall apply to byelaws made under this section.

Accommodation for seasonal workers.

45.—(1) With a view to the provision of proper accommodation for seasonal workers, a local authority may, and if required

by the Board shall, make byelaws for the whole or any part of their district in respect to the following matters:—

(*a*) Intimation to the local authority of the intention to employ seasonal workers:

(*b*) The nature and extent of the accommodation to be provided for such workers, including due provision for—

(i) sleeping accommodation, and separation of the sexes;

(ii) lighting, ventilation, cubic space, cleanliness, and furnishing, including beds and bedding and cooking utensils;

(iii) storage of food, washing of clothes, and drying of wet clothes;

(iv) waterclosets or privies for the separate use of the sexes; and

(v) a suitable supply of water;

(*c*) Determining the person or persons responsible for the provision of the accommodation required by the byelaws, taking into account the terms of current contracts:

(*d*) Inspection of the premises:

(*e*) Exhibition on the premises of the byelaws:

(*f*) Such other matters relating to the accommodation of seasonal workers as the Board may from time to time prescribe.

(2) The provisions of sections one hundred and eighty-three to one hundred and eighty-seven of the Public Health (Scotland) Act, 1897 (which relate to byelaws made under that Act), shall apply to byelaws made under this section: Provided that the Board, before they allow, modify, or disallow any byelaws made under this section, shall consult with the Board of Agriculture for Scotland, or with the Fishery Board for Scotland, as the case may be, in so far as agricultural or fishery interests respectively are affected by such byelaws.

(3) In cases of emergency, the Board may, on the application of the Board of Agriculture for Scotland, suspend, as respects the district of any local authority or part thereof, the operation of any byelaw made under this section which affects agricultural interests.

(4) Without prejudice to the other provisions of this section, accommodation in accordance with the byelaws shall, in the case of potato-workers, harvesters, fruit-pickers, and other seasonal workers employed on farms or fruit farms, be provided by the farmer or fruit-grower: Provided that, if the provision of such accommodation involves the erection of additional buildings, the farmer or fruit-grower may require the landlord to erect such buildings on terms and conditions to be deter-

mined, failing agreement, by the Board of Agriculture for Scotland.

(5) In this section the expression "seasonal workers" includes navvies, harvesters, potato-workers, fruit-pickers, herring-gutters, and such other workers engaged in work of a temporary nature as the Board may from time to time prescribe.

Cleansing of houses.

46. Section forty of the Public Health (Scotland) Act, 1897 (which relates to the cleansing of houses), shall be amended by the omission of the word "such," where it first occurs, and of the words "that the health of any person is affected or endangered thereby."

Revision of burgh boundaries. 56 & 57 Vict. c. 25.

47. In section eleven (Revision of boundaries) of the Burgh Police (Scotland) Act, 1892, for the words from "The sheriff or sheriffs," to "included therein," there shall be substituted the words "In revising the boundaries of a burgh the sheriff or sheriffs shall take into account the number of dwelling-houses, whether existing or about to be erected, within the area proposed to be included (with power to allow a reasonable margin for future extension), the density of the population, the persons for whom and the authority by whom the dwelling-houses have been, or are to be, erected, and all the circumstances of the case, and shall thereafter determine whether the area ought to form part of the burgh, and should be included therein."

Farmed-out houses.

48. It shall be lawful for the local authority of any burgh to apply to the Board for an order declaring that the provisions of Part II. of the Glasgow Corporation Order, 1918 (which relate to farmed-out houses), shall apply to the burgh, and the Board, if they are satisfied after such inquiry, if any, as they may think fit, that the circumstances and conditions of the burgh are such that it is desirable that those provisions should apply thereto, may make an order so applying such provisions, with such modifications and adaptations as may appear to the Board to be necessary or desirable, and as from a date to be prescribed in the order of the Board, the said provisions as so modified or adapted shall as respects that burgh have effect as if they were enacted in this Act.

Penalty for damage to houses.

49. Any person who wilfully or by culpable negligence damages or suffers to be damaged any house provided for the working classes under the Housing Acts or any of the fittings or appurtenances of any such house, including the drainage and water supply and any apparatus connected with the drainage or water supply, and the fence of any enclosure, shall be liable on summary conviction to a penalty not exceeding forty shillings, without prejudice to any remedy for the recovery of the amount of the damage.

Definition of local authority.

50. In this Part of this Act the expression "local authority" means the local authority for the purposes of the Public Health (Scotland) Act, 1897.

PART V.

GENERAL.

Repeals.

51. The Acts mentioned in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

Extent.

52. This Act shall extend to Scotland only.

Citation.

53.—(1) This Act may be cited as the Housing, Town Planning, &c. (Scotland) Act, 1919.

(2) The Housing of the Working Classes Acts, 1890 to 1909, as those Acts apply to Scotland, and this Act, so far as it amends those Acts, may be cited together as the Housing (Scotland) Acts, 1890 to 1919, and are in this Act referred to as "the Housing Acts."

(3) Part II. of the Housing, Town Planning, &c. Act, 1909, as that Part of that Act applies to Scotland, and Part II. of this Act may be cited together as the Town Planning (Scotland) Acts, 1909 and 1919.

62 & 63 Vict. c. 44.

(4) The Small Dwellings Acquisition Act, 1899, as that Act applies to Scotland, and Part III. of this Act may be cited together as the Small Dwellings Acquisition (Scotland) Acts, 1899 and 1919.

SCHEDULES.

Section 8.

FIRST SCHEDULE.

RULES FOR DETERMINING THE AMOUNT OF REDUCTION OF COMPENSATION.

(*a*) The value of the whole of the land included in the scheme shall first be ascertained on the basis of its value as a cleared site available for development in accordance with the building regulations in force in the district.

(*b*) The value of the whole of the said land shall next be ascertained on the basis of its value as a cleared site subject to the requirements of the scheme as to the provision to be made for the re-housing of persons of the working classes or the laying out of open spaces on the land or any part thereof.

(*c*) The difference between the amounts ascertained under paragraph (*a*) and paragraph (*b*) shall then be computed.

(*d*) The amount by which the compensation payable for the respective interests in the land or premises to which section eight of this Act applies, as ascertained in accordance with the principle laid down in that section, is to be reduced shall be a fraction thereof equal to the amount arrived at under paragraph (*c*) when divided by the amount arrived at under paragraph (*a*).

SECOND SCHEDULE.

Section 30.

AMENDMENTS AS TO PROCEDURE UNDER PART I. AND PART II. OF THE PRINCIPAL ACT AND MINOR AMENDMENTS OF THE HOUSING ACTS AS THOSE ACTS RESPECTIVELY APPLY TO SCOTLAND.

Enactment to be amended.	Amendments.
Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70) :	
s. 6 (3)	For the words "the person entitled to the first "estate of freehold in any property comprised in "the scheme or with the concurrence of such "person" (as applied to Scotland by subsection (5) of section 96 of the said Act) there shall be substituted the words "any person having such "right or interest in any property comprised in "the scheme as may be sufficient to enable him "to carry out and effect the same."
s. 7	After the words "the local authority shall" there shall be inserted the word "forthwith."
s. 7 (*a*)	For the words "publish during three consecutive "weeks in the month of September or October "or November in some one and the same "newspaper" there shall be substituted the words "publish in a newspaper."
s. 7 (*b*)	The words "during the month next following "the month in which such advertisement is "published" shall be omitted, and after the word "occupier" there shall be inserted the words "(except tenants for a month or a period "less than a month)."
s. 8 (5)	For the word "copy" there shall be substituted the word "notice," and the words "except "tenants for a month or a less period than a "month" shall be omitted.
s. 12 (1)	For the words "When the confirming Act autho- "rising any improvement scheme of a local "authority under this Part of this Act has "been passed by Parliament" there shall be substituted the words "When an order has "been made confirming an improvement "scheme of a local authority under this Part "of this Act." At the end of the subsection there shall be inserted the words "provided that the local "authority shall not be required to acquire "any leasehold interest in any property com- "prised in a scheme which can be allowed to "expire without unduly delaying the execution "of the scheme."

Enactment to be amended.	Amendments.
Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70) —*continued.*	
s. 12 (6)	For the words "the person entitled to the first "estate of freehold in any land comprised in "an improvement scheme" (as applied to Scotland by subsection (5) of section 96 of the said Act) there shall be substituted the words "any person having such right or interest in "any land comprised in an improvement "scheme as may be sufficient to enable him to "carry out and effect the same."
s. 14	The whole section shall be omitted.
s. 16 (1)	For the words "upon their giving security to the "satisfaction of that authority for costs, the "confirming authority shall" there shall be substituted the words "the confirming "authority may."
s. 81	The words "out of their own number" shall be omitted, after the words "provided that a com- "mittee so appointed shall" there shall be inserted the words "consist as to a majority of "its members of members of the appointing "local authority and shall" and
	For the words "to make any rate or to enter into any contract" there shall be substituted the words "or to make any rate."
Second Schedule, para. (1).	For the words "as soon as practicable after the "passing of the confirming Act" there shall be substituted the words "before making an "application for the appointment of an arbi- "trator as hereinafter mentioned."
	After the word "occupiers" there shall be inserted the words "except tenants for a month or a "period less than a month."
Para. (4)	For the words "has not been" there shall be substituted the words "is not."
Para. (6)	For the words from "and the local authority shall publish" to the end of the paragraph there shall be substituted the words "Before "applying to the arbitrator to determine the "compensation in respect of any particular "lands or interest therein, the local authority "shall send a notice by post of their intention "to the owners or reputed owners, lessees or "reputed lessees, so far as they can reasonably "be ascertained."
Para. (7)	The words from "shall ascertain" to "willing to pay and" shall be omitted, and for the words "he shall proceed" there shall be substituted the words "shall proceed."
Para. (8)	The words "by causing such notice to be "published or otherwise in such manner as he "thinks advisable" and the words "in dis- "puted cases as to the amount of compensa- "tion to be paid" shall be omitted.

Enactment to be amended.	Amendments.
Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70) —*continued.*	
Second Schedule—*cont.*	
Para. (9)	The words "subject to the provisions concerning "an appeal hereinafter contained" shall be omitted.
Para. (10)	For the words from "and the local authority shall thereupon" to the end of the paragraph there shall be substituted the words "The legal "progress of the title-deeds in the case of a "person claiming a fee simple interest in any "lands included in any such award as aforesaid "shall commence twenty years previous to the "date of the claim, except there has been an "absolute conveyance on sale within twenty "years and more than ten years previous to that "date, in which case the legal progress of the "title-deeds shall commence with such con-"veyance. Provided that the local authority "shall not be prevented, if they think fit, "from requiring at their own expense any "further legal progress or evidence of the "title-deeds respecting any lands included in "any such award as aforesaid, in addition to "the legal progress hereinbefore mentioned."
Para. (12)	The words from "The local authority, or any person interested," to the end of the paragraph, shall be omitted.
Para. (14)	For the words "such statement and abstract as aforesaid" (as applied to Scotland by paragraph (33) (*a*) of the said schedule) there shall be substituted the words "a statement in "writing by any person claiming any right or "interest in the lands, and a legal progress "of the title-deeds on which the same is "founded."
Paras (22), (26), and (27)	These paragraphs shall be omitted.
Para. (29) (1) (*c*)	For the words "before the appointment of the arbitrator" there shall be substituted the words "not less than fourteen days before "the date of the arbitration in that particular "case."
Para. (30)	After the word "documents" there shall be inserted the words "other than any formal "offer made by the local authority."
Para. (32)	For the words "some one and the same," there shall be substituted the word "a."
Housing and Town Planning, &c. Act, 1909 (9 Edw. 7. c. 44) :—	
s. 17 (3)	For the word "order" where it last occurs there shall be substituted the word "notice."
s. 17 (4)	For the words "every occupying tenant" there shall be substituted the words "the occupier."

Enactment to be amended.	Amendments.
Housing, Town Planning, &c. Act, 1909 (9 Edw. 7. c. 44)—*cont.*	
s. 17 (5)	For the word "may" where it first occurs there shall be substituted the word "shall."
s. 18 (3)	At the end of the subsection the following words shall be inserted:—"and if and when the "necessary works are completed to their "satisfaction the local authority may deter- "mine the closing and demolition orders "relating to the dwelling-house."
s. 18 (4)	After the word "after" there shall be inserted the words "the notice of," and at the end of the subsection the following words shall be inserted:—"Or, where the operation of the "order has been postponed, for any period "within fourteen days after the expiration of "that period."

Section 38.

THIRD SCHEDULE.

MINOR AND CONSEQUENTIAL AMENDMENTS OF THE PROVISIONS AS TO TOWN PLANNING.

Enactment to be amended.	Amendments.
Housing, Town Planning, &c. Act, 1909 (9 Edw. 7. c. 44):—	
s. 54 (1)	At the end of the subsection the following proviso shall be inserted:— "Provided that, where a piece of land already built upon, or a piece of land not likely to be used for building purposes, is so situate with respect to any land likely to be used for building purposes that the general object of the scheme will be better secured by its inclusion in any town-planning scheme made with respect to the last-mentioned land, the scheme may include such piece of land as aforesaid, and may provide for the demolition or alteration of any buildings thereon so far as may be necessary for carrying the scheme into effect."
s. 54 (3)	The subsection shall be omitted.

Enactment to be amended.	Amendments.
Housing, Town Planning, &c. Act, 1909 (9 Edw. 7. c. 44)— *continued.*	
s. 56 (1)	For the words "applications for authority to "prepare or adopt a town-planning scheme "the preparation of the scheme" there shall be substituted the words "the preparation or "adoption of a town-planning scheme," and after the word "adopted" there shall be inserted the words "or the variation or "revocation of a scheme," and after the words "the provisions thereof" there shall be inserted the words "or the variation or revocation of the scheme."
s. 56 (2), para. (*a*)	For the words "at every stage of the proceedings "by means of conferences, and such other "means" there shall be substituted the words "by such means".
s. 58 (1)	After the words "town-planning scheme" there shall be inserted the words "or by the carrying "into effect of any provision of a town-"planning scheme."
s. 58 (2)	For the words "time at which the application for "authority to prepare the scheme was made" there shall be substituted the words "date of "the resolution of the local authority to "prepare or adopt the scheme, or after the "date when such resolution takes effect, as "the case may be," and for the words "the "application was made" there shall be substituted the words "such date or other time as aforesaid."
s. 59 (1)	At the end of the subsection the following words shall be inserted "or are contained in any "general Act or local Act or Order in force in "the area."
s. 59 (2)	The words "with a view to securing the amenity "of the area included in the scheme or any "part thereof" shall be omitted.
s. 65 (2)	After the word "thereunder" where it secondly occurs, there shall be inserted the words "including the cost of the preparation or "adoption of the scheme."
Fourth Schedule, para. 18.	The words "by means of conferences, &c." shall be omitted.
Fifth Schedule, para. 1	For the words "and for the purpose of an "application for authority to prepare or "adopt" there shall be substituted the words "the preparation or adoption of," and for the words "submission of plans and estimates" there shall be substituted the words "prepara-"tion and deposit of plans."

FOURTH SCHEDULE.

Section 51

REPEALS.

Session and Chapter.	Short Title.	Extent of Repeal.
53 & 54 Vict. c. 70.	The Housing of the Working Classes Act, 1890.	Section fourteen, subsection (2) of section fifty-seven, sections sixty and sixty-four.
60 & 61 Vict. c. 38.	The Public Health (Scotland) Act, 1897.	In section one hundred and eighty-one, the words "subject to the "approval of the county "council."
63 & 64 Vict. c. 59.	The Housing of the Working Classes Act, 1900.	Section five.
3 Edw. 7. c. 39.	The Housing of the Working Classes Act, 1903.	Subsection (1) of section five.
9 Edw. 7. c. 44.	The Housing, Town Planning, &c. Act, 1909.	Subsection (2) of section four, sections six and thirty-two. In subsection (1) of section fifty-three, the words "and in section "five of the Housing of the "Working Classes Act, 1900." Section seventy-two. In the First Schedule, the paragraph numbered (7), and in the paragraph numbered (14) the words "and for the reference to "a borough or urban district "there shall be substituted a "reference to a burgh."

CHAPTER 61.

An Act to amend the Law of Intestate Moveable Succession in Scotland. [19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Mother's rights in the succession to an intestate.

1. Where any person dies intestate without leaving issue, and is predeceased by his father, and survived by his mother, she shall have the same rights of succession to his moveable estate as the father would have had, if he had survived.

Power to Admiralty, War Office, and Air Council to dispose of property in accordance with foregoing section.

2. The provisions of the foregoing section shall not apply to the estate of any person dying before the passing of this Act, provided that the Admiralty, the Secretary of State for War, and the Air Council shall, wherever possible, dispose of any property or funds in their possession at the passing of this Act, belonging or due to any deceased member of His Majesty's Forces, so as to secure that the distribution by the Admiralty, the Secretary of State, or the Air Council, of property or funds of such deceased, whether partly before the passing of this Act or not, shall be in conformity with the law of intestate succession in Scotland as amended by this Act.

Repeal. 18 & 19 Vict. c. 23.

3. Section four of the Intestate Moveable Succession (Scotland) Act, 1855, is hereby repealed.

Interpretation and short title.

4.—(1) For the purposes of this Act and of the Intestate Moveable Succession (Scotland) Act, 1855, any sum due out of the moveable estate of an intestate to his or her surviving wife or husband, whether at common law or in virtue of any Act of Parliament, shall be deemed not to be part of the free moveable estate on which the intestate might have tested.

(2) This Act may be cited as the Intestate Moveable Succession (Scotland) Act, 1919, and shall be construed as one with the Intestate Moveable Succession (Scotland) Act, 1855.

.....

CHAPTER 62.

An Act to make provision with respect to the British Mercantile Marine Uniform. [19th August 1919.]

WHEREAS by an order dated the fourth day of September, nineteen hundred and eighteen, His Majesty in Council was pleased to prescribe a uniform to be worn by the British mercantile marine (which uniform, and any other or further uniform which may hereafter be prescribed by Order in Council in connection with the British mercantile marine, is in this Act referred to as the British mercantile marine uniform):

And whereas it is expedient to prohibit the wearing of such uniform by unauthorised persons, and to make such other provisions in relation thereto as are hereinafter contained:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Prohibition against improper use of uniform.

1.—(1) If any person, not being entitled to wear the British mercantile marine uniform, wears that uniform or any part thereof, or any dress having the appearance or bearing any of the distinctive marks of that uniform, he shall be guilty of an

offence and liable on summary conviction to a fine not exceeding five pounds, or, if he wears it in such a manner or under such circumstances as to be likely to bring contempt on the uniform, to a fine not exceeding ten pounds or to imprisonment with or without hard labour for a term not exceeding one month:

Provided that this section shall not prevent any person from wearing any uniform or dress in the course or for the purposes of a stage play or representation, or a music-hall or circus performance if the uniform is not worn in such a manner or under such circumstances as to bring it into contempt.

(2) If any person entitled to wear the British mercantile marine uniform when aboard a ship in port or on shore appears dressed partly in uniform and partly not in uniform under such circumstances as to be likely to bring contempt on the uniform, or, being entitled to wear the uniform appropriate to a particular rank or position, wears the uniform appropriate to some higher rank or position, he shall be liable on summary conviction to a fine not exceeding five pounds.

Copyright in distinctive marks of the uniform. 7 Edw. 7. c. 29.

2. Where the Board of Trade have, whether before or after the passing of this Act, registered under Part II. of the Patents and Designs Act, 1907, any design forming part of the British mercantile marine uniform, the Board of Trade shall, notwithstanding anything in section fifty-three of that Act, have a perpetual copyright in the design so long as it remains on the register.

Short title.

3. This Act may be cited as the British Mercantile Marine Uniform Act, 1919.

CHAPTER 63.

An Act to amend the law as to Notices to Quit given to Tenants by Owners of Agricultural Land prior to the sale of such land. [19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Restriction of notices to quit.

1. On the making, after the passing of this Act, of any contract for sale of a holding, or any part of a holding held by a tenant from year to year, any then current and unexpired notice to determine the tenancy of the holding given to the tenant, either before or after the passing of this Act, shall be

null and void, unless the tenant shall, after the passing of this Act and prior to such contract of sale, by writing, agree that such notice shall be valid.

2. In this Act— Definitions.

"Agricultural land" means land which is either wholly agricultural or wholly pastoral, or in part agricultural and as to the rest pastoral or in whole or in part cultivated as a market garden;

"Holding" means a parcel of agricultural land held by a tenant and which is not let to the tenant during his continuance in any office, appointment or employment held under the landlord;

"Market garden" means a holding cultivated wholly or mainly for the purpose of the trade or business of market gardening.

3. This Act shall not apply to a contract for sale to a Government department or local authority for the purpose of providing small holdings or allotments, or for any other public purpose made within three years after the passing of this Act. Exemption of purchases for public purposes.

4. This Act shall not apply to Ireland. Application of Act.

5. This Act may be cited as the Agricultural Land Sales (Restriction of Notices to Quit) Act, 1919. Short title.

CHAPTER 64.

An Act to extend, amend, and prolong the duration of section one of the Courts (Emergency Powers) Act, 1917. [19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) Section one of the Courts (Emergency Powers) Act, 1917, which confers on the court power to suspend and annul certain contracts shall have effect as if— Amendment of s. 1 of 7 & 8 Geo. 5. c. 25.

(*a*) For subsection (1) thereof the following subsection were substituted:—

"Where, upon an application by any party to a contract (including a contract confirmed by Act of Parliament or Order having the force of an

Act) entered into before the first day of January nineteen hundred and seventeen, the court is satisfied that, owing to the prevention or restriction of, or the delay in, the supply or delivery of materials, or the diversion or insufficiency of labour, or the shortage of shipping, or the alteration of trade conditions, occasioned by the present war, the contract cannot be enforced according to its terms without serious hardship, the court may, after considering all the circumstances of the case and the position of all the parties to the contract and any offer which may have been made by any party for a variation of the contract, suspend or annul, or with the consent of the parties amend as from such date as the court may think fit, or stay any proceedings for the enforcement of, the contract or any term thereof or any rights arising thereunder on such conditions (if any) as the court may think fit:

"For the purpose of this subsection where an offer made before the first day of January nineteen hundred and seventeen, was binding on a contracting party if accepted within a specified period expiring after that date and was so accepted after that date, the contract shall be deemed to have been entered into before that date."

(*b*) In subsection (2) thereof for the words "any ship" there were substituted the word "shipping" and for the words "suspend or annul the contract or stay any proceedings for the enforcement of" there were substituted the words "suspend or annul, or with the consent of the parties amend as from such date as the court may think fit, or stay any proceedings for the enforcement of":

(2) Subsection (3) of the said section so far as it limits the duration of that section, shall cease to have effect.

Short title.

2. This Act may be cited as the Courts (Emergency Powers) Act, 1919.

CHAPTER 65.

An Act to continue in office the Welsh Commissioners appointed under the Welsh Church Act, 1914, to postpone the date of disestablishment, and to make further provision with respect to the temporalities of, and marriages in, the Church in Wales.

[19th August 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuation of Welsh Commissioners. 4 & 5 Geo. 5. c. 91.

1.—(1) His Majesty in Council may, from time to time, on the application of the Welsh Commissioners appointed under the Welsh Church Act, 1914, suspend the dissolution of the said Commissioners, and, subject to revision by the Treasury of the salaries of the said Commissioners and the remuneration and number of their officers, continue their powers for such time as His Majesty thinks fit.

(2) Notwithstanding anything in the Welsh Church Act, 1914, the expenses of carrying that Act into execution, including the salaries and remuneration of the Commissioners and their staff, shall be apportioned between the property to be transferred to the University of Wales and the several county councils in proportion to the value of the property to be so transferred to them respectively.

Date of disestablishment. 4 & 5 Geo. 5. c. 88.

2. The date of disestablishment of the Church in Wales shall, notwithstanding anything in the Welsh Church Act, 1914, or the Suspensory Act, 1914, or any order made thereunder, be, for the purposes of this Act and of the first-mentioned Act, the thirty-first day of March, nineteen hundred and twenty.

Provisions relating to commutation.

3.—(1) Section eighteen of the Welsh Church Act, 1914, shall have effect as if the representative body had signified by notice in writing to the Welsh Commissioners that they have adopted the scheme of commutation set forth in that Act; and in paragraph (*b*) of the said section the expression "the existing interests of holders of ecclesiastical offices in the Church in Wales" means and shall be deemed always to have meant existing interests of persons who, at the time of the passing of the Welsh Church Act, 1914, were holders of ecclesiastical offices in the Church in Wales.

(2) There shall be paid out of moneys provided by Parliament to the Welsh Commissioners a sum of one million pounds to be applied by them towards the payment of the sum due to the representative body under the said scheme of commutation.

(3) The annual income derived from property mentioned in paragraph (4) of the Fourth Schedule to the Welsh Church

Act, 1914, shall, as respects tithe rentcharge be taken to be the amount of the tithe rentcharge according to the septennial average computed at the date of disestablishment as if the Tithe Act, 1918, had not passed, after making the deductions specified in the said paragraph.

8 & 9 Geo. 5. c 54.

(4) The annual income derived from property mentioned in paragraph (2) of the Fifth Schedule to the Welsh Church Act, 1914, shall as respects tithe rentcharge be the amount of tithe rentcharge computed in accordance with the Tithe Act, 1918, after making the deductions specified in the said paragraph.

(5) If the Welsh Commissioners shall not have paid to the representative body, within six months after the date of commutation, the aggregate value of the existing interests of holders of ecclesiastical offices in the Church of Wales, as ascertained in the manner provided by the Fourth Schedule of the Welsh Church Act, 1914, and this Act, they shall pay interest on any amount unpaid at the rate of five and a half per centum per annum until such payment.

(6) Where, on the first day of January, nineteen hundred and thirteen, any ecclesiastical office in the Church in Wales, was vacant, the person appointed to hold that office next after that date shall, for the purposes of paragraph (1) of the Fourth Schedule to the Welsh Church Act, 1914, be treated as if he had been the holder of that office on that date.

Further provisions as to Welsh ecclesiastical property.

4.—(1) The Welsh Commissioners may postpone the transfer under the Welsh Church Act, 1914, of any property vested in them to any person or body of persons, whether corporate or unincorporate, other than the representative body, and such person or body of persons shall not be bound to accept the transfer of any such property until the Secretary of State so directs; and so long as any tithe rentcharge which was previously attached to a benefice remains vested in the Welsh Commissioners, the Welsh Commissioners shall be deemed to be the owners of a tithe rentcharge attached to a benefice for the purposes of the Tithe Rentcharge (Rates) Act, 1899.

62 & 63 Vict. c. 17.

(2) If the Welsh Commissioners so agree with the representative body, it shall be lawful for the Welsh Commissioners to buy and for the representative body to sell to them any of the tithe rentcharge transferred to the representative body under the Welsh Church Act, 1914, at a price to be ascertained by the same method as that prescribed by the Tithe Act, 1918, for the payment of compensation for the redemption of tithe rentcharge; and the Welsh Commissioners may determine out of what part of the funds vested in them the purchase money payable for any such tithe rentcharge is to be paid and the tithe rentcharge when purchased shall be dealt with by the Welsh Commissioners in like manner as if it had been derived from the same source as the purchase money:

Provided that, if the tithe rentcharge at the time of sale is subject to any existing interest, it shall be discharged from that interest, and the representative body shall be liable to pay to the person entitled to the existing interest, so long as that interest would have continued, an annuity equal to the annual value of his interest therein ascertained in manner provided by the Fifth Schedule to the Welsh Church Act, 1914, and this Act.

(3) There shall be included in the property which the Welsh Commissioners are required by subsection (1) of section eight of the Welsh Church Act, 1914, to transfer to the representative body any tithe rentcharge derived from sources other than endowments of any ecclesiastical office or cathedral corporation in the Church in Wales, and not being Welsh ecclesiastical property, which has been appropriated since the year sixteen hundred and sixty-two to benefices in Wales and Monmouthshire.

Additional powers of Ecclesiastical Commissioners.

5.—(1) It shall be lawful for the Ecclesiastical Commissioners by agreement with the representative body, instead of charging their common fund with the payment of the perpetual annuity mentioned in proviso (*c*) to section six of the Welsh Church Act, 1914, to pay to the representative body out of any capital money belonging to them (including money invested under section six of the New Parishes Act, 1843), not being Welsh Ecclesiastical property, a capital sum not exceeding such amount as may in the opinion of the Ecclesiastical Commissioners be the capitalised value of such annuity, and any charge upon the said common fund made in respect of such annuity before the date of disestablishment shall, upon payment to the representative body of a capital sum in lieu thereof, cease to have effect.

6 & 7 Vict. c. 37.

(2) Notwithstanding the limitation imposed by proviso (*d*) of section six of the Welsh Church Act, 1914, upon the sum which the Ecclesiastical Commissioners may pay in any year to the representative body, it shall be lawful for the Ecclesiastical Commissioners with the consent of the representative body to pay to that body a sum in excess of the said limitation, upon condition that no further payment shall be made by the Ecclesiastical Commissioners under the powers granted to them by that proviso.

(3) Parts I. and III. of the Schedule to the Welsh Church Act, 1914 (which define the property which may be transferred by the Ecclesiastical Commissioners to the representative body), shall have effect as if the words "date of disestablishment" were therein substituted for the words "passing of this Act."

Saving provisions as to marriages in churches.

6. Nothing in this Act or in the Welsh Church Act, 1914, shall affect—

(*a*) the law with respect to marriages in Wales or Monmouthshire; or

(*b*) the right of bishops of the Church in Wales to license churches for the solemnisation of marriages or to grant licences to marry;

and section twenty-three of the Welsh Church Act, 1914, is hereby repealed.

Provisions as to charities.

7.—(1) The Charitable Trusts Acts, 1853 to 1914, shall not apply to the representative body or to any property vested in or administered by it except to such property and for such time as the Charity Commissioners may by order determine upon the application of the representative body.

(2) Where by any charter, deed, or other document any association, institution, or society, whether corporate or unincorporate, is empowered, or is under a duty, to make any grant or payment to any persons or body of persons, whether corporate or unincorporate, in Wales and Monmouthshire, such power or duty shall not be affected by reason of any parish of the Church in Wales ceasing to be a part of the province of Canterbury or of York, notwithstanding anything contained in any such charter, deed, or document.

Saving for divided parishes.

8. Where an ecclesiastical parish which before the year eighteen hundred and fifty was situate partly in Wales or Monmouthshire and partly in England has since that year been divided into two ecclesiastical parishes, one of which is situate wholly in Wales or Monmouthshire and one wholly in England, and both those parishes are situated in an English diocese, then subsections (1) and (3) of section nine of the Welsh Church Act, 1914 (which relates to border parishes), shall apply to the ecclesiastical parish so situate wholly in Wales or Monmouthshire in like manner as if part thereof were situate in England.

Short title and construction.

9. This Act may be cited as the Welsh Church (Temporalities) Act, 1919, and shall be construed as one with the Welsh Church Act, 1914, and that Act and this Act may be cited together as the Welsh Church Acts, 1914 and 1919.

CHAPTER 66.

An Act to check Profiteering. [19th August 1919.]

WHEREAS it appears that the prices of articles are, to the detriment of the people, being enhanced in some cases by the charging of prices yielding an unreasonable profit to the persons engaged in the production, handling, or distribution thereof:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assemble and by the authority of the same, as follows :

Powers of the Board of Trade to investigate complaints and take proceedings.

1.—(1) Subject to the provisions of this Act, the Board of Trade shall have power in respect of any article to which this Act applies—

(*a*) to investigate prices, costs, and profit at all stages, and for that purpose by order to require any person to appear before them, and to furnish such information and produce such documents as they may require ; and on any such investigation they may by order fix maximum prices ; and

(*b*) to receive and investigate complaints that a profit is being or has been since the passing of this Act made or sought on the sale of the article (whether wholesale or retail) which is, in view of all the circumstances, unreasonable, and on any such complaint they may by order, after giving the parties an opportunity of being heard, either dismiss the complaint or—

(i) declare the price which would yield a reasonable profit ; and

(ii) require the seller to repay to the complainant any amount paid by the complainant in excess of such price.

(2) If, as a result of any investigation undertaken on their own initiative or on complaint made to them, it appears to the Board of Trade that the circumstances so require, the Board shall take proceedings against the seller before a court of summary jurisdiction, and if in such proceedings it is found that the price charged or sought about which the complaint was made, or the price discovered at the investigation to have been charged or sought, was such as to yield a profit which is, in view of all the circumstances, unreasonable, the seller shall be liable on summary conviction to a fine not exceeding two hundred pounds or to imprisonment for a term not exceeding three months or to both such imprisonment and fine : Provided that a rate of profit which does not exceed the fair average rate earned by persons in the same way of business as the seller upon the sale of similar articles under pre-war conditions, shall not be deemed unreasonable.

(3) If any person fails to comply with or infringes an order of the Board of Trade under this section, he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding one month, or to both such imprisonment and fine, and, in the case of an order requiring the repayment of any amount, that amount shall be recoverable summarily as a civil debt.

(4) If any person at or for the purpose of any such investigation or on any such complaint knowingly or recklessly

furnishes any information or makes any representation which is false in any material particular, he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months, or to both such imprisonment and fine.

(5) Where a person convicted under this section is a company, the chairman and every managing director and every officer concerned in the management of the company shall be guilty of the like offence, unless he proves that the act which constituted the offence took place without his knowledge or without his consent.

(6) In any proceedings under this section to which the Board of Trade is a party, costs may be awarded to or against the Board.

(7) This Act applies to any article or class of articles to which it is applied by order of the Board of Trade, being an article or class of articles declared by the order to be one or one of a kind in common use by the public, or being material, machinery, or accessories used in the production thereof, but this Act does not apply to any articles which are from time to time declared to be controlled articles, and different provisions of this Act may be applied to different articles.

(8) The Board of Trade shall have power to require any person appearing before them under this Act to give evidence on oath, and shall have power to authorise any person to administer an oath for the purpose.

(9) In this Act the expressions "sale" and "seller" include respectively any offer for sale and any person offering to sell.

(10) Nothing in this Act shall apply to the sale of any article for export from the United Kingdom, or to the sale of any articles by public auction or competitive tender.

Power to establish local committees, &c.

2.—(1) The Board of Trade may, as and when it appears to them necessary or expedient, establish, or authorise any local authority or authorities to establish, local or other committees, to whom the Board may delegate any or all of their powers under this Act in respect of any articles or classes of articles, or sales, except the power of the Board to fix prices; and the effect of any order by a committee under such delegated powers shall be the same as that of an order of the Board, and this Act shall have effect accordingly.

(2) Subject as aforesaid, the Board may make regulations and give directions as to the constitution, powers, and procedure of committees established under this section, and the districts for which they shall act, which regulations and directions shall have effect as though enacted in this Act:

Provided that—

(*a*) every regulation so made shall be laid before both Houses of Parliament as soon as may be after it is made, and, if an address is presented by either

House within twenty-one days from the date on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, but without prejudice to the validity of anything previously done thereunder; and

(*b*) such regulations shall provide that a member of a committee established by a local authority shall be disqualified from acting in any case where he is a trade competitor of the person against whom the complaint under investigation has been lodged, and shall provide for a right of appeal by the seller from any order or decision of local committees other than a decision to take proceedings before a court of summary jurisdiction to appeal tribunals appointed by the Board for the purpose, and for the constitution, powers, and procedure of such appeal tribunals, and shall make such provision as appears to the Board necessary for the prevention of frivolous complaints; and

(*c*) such regulations shall provide for the inclusion of women on all local committees.

Operations of trusts, &c.

3. Without prejudice to the generality of the powers under this Act, the Board of Trade shall obtain from all available sources information as to the nature, extent, and development of trusts, companies, firms, combinations, agreements, and arrangements connected with mining, manufactures, trade, commerce, finance, or transport, having for their purpose or effect the regulation of the prices or output of commodities or services produced or rendered in the United Kingdom or imported into the United Kingdom, or the delimitation of markets in respect thereof, or the regulation of transport rates and services, in so far as they tend to the creation of monopolies or to the restraint of trade, and the Board of Trade shall, for the purposes of this section, utilize the powers of investigation and of appointing committees conferred upon them by this Act.

Power to authorise local authorities to trade.

4. The Board of Trade may, if they think fit, authorise local authorities, subject to such conditions as the Board may impose, to purchase and sell any article, or articles of any class, to which this Act applies, and any local authority so authorised shall have all necessary powers for the purpose, but such conditions shall, as far as possible, insure that any local authority so purchasing and selling shall proceed on a commercial basis and not by way of subsidy at the expense of the ratepayers.

Publicity of proceedings, &c.

5. The proceedings before the Board of Trade or any committee or tribunal under this Act shall, unless in special cases

the Board of Trade, otherwise direct, be held in public, where such proceedings are founded on a complaint.

Save as aforesaid, information and documents required to be given or produced to the Board of Trade or to a committee or tribunal under this Act shall be treated as confidential, except in cases where the person giving or producing the same otherwise agrees, and in cases where legal proceedings are taken, for the purpose of such proceedings:

Provided that nothing herein shall be taken as preventing the Board or any committee or tribunal from publishing their findings and decisions. Any investigation under this Act shall, for the purposes of the law relating to libel and slander, be deemed to be proceedings before a court exercising judicial authority.

Consultation with Food Controller.

6. The powers of the Board of Trade under this Act shall, in relation to articles of food or drink to which this Act applies, be exercised jointly or in agreement with the Food Controller.

Expenses.

7.—(1) The expenses of any local committees established by local authorities under this Act shall be defrayed by the local authorities out of such fund or rate, and in such manner as may be directed by the Board of Trade; and any expenses of the Board of Trade under this Act to an amount not exceeding seventy-five thousand pounds, shall, subject to the approval of the Treasury, be paid out of moneys provided by Parliament.

(2) Such expenses may in either case include such payment to the chairmen and members of committees and tribunals, in respect of their travelling expenses and loss of time, as appears to the Board reasonable and is approved by the Treasury.

(3) Any fines imposed at the instance of a local committee established by a local authority under this Act shall be applied in aid of the fund or rate out of which the expenses of the committee are required to be paid under this Act, and any other fines imposed under this Act shall be paid into the Exchequer.

Short title and duration.

8.—(1) This Act may be cited as the Profiteering Act, 1919.

(2) This Act shall continue in force for six months and no longer, unless Parliament otherwise determines.

CHAPTER 67.

An Act to amend the Superannuation Acts in their application to officers employed in Prisons and Criminal Lunatic Asylums. [20th November 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of Superannuation Acts in their application to prison officers.

1.—(1) The Superannuation Acts, 1834 to 1914, shall, in their application to officers employed in prisons and criminal lunatic asylums of such classes as the Secretary of State, or in Scotland the Secretary for Scotland, or in Ireland the Lord Lieutenant, with the approval in each case of the Treasury, may from time to time prescribe, have effect subject to the following modifications:—

(a) Fifty-five years shall be substituted for sixty years as the age on retirement at which without a medical certificate a superannuation allowance may be granted, and accordingly sections ten and eleven of the Superannuation Act, 1859, shall, in their application to such officers as aforesaid, have effect as if for "sixty years" there were substituted "fifty-five years": 22 Vict. c. 26.

(b) In calculating the amount of the superannuation allowance or additional allowance of any such officer, the proportion of the annual salary and emoluments to be added in respect of the twenty-first and every subsequent year of service—

(i) in the case of a person to whom section one of the Superannuation Act, 1909, applies, shall, as respects superannuation allowance, be two-eightieths instead of one-eightieth, and as respects additional allowance be two-thirtieths instead of one-thirtieth; and 9 Edw. 7. c. 10.

(ii) as respects the superannuation allowance of a person to whom that section does not apply, shall be two-sixtieths instead of one-sixtieth:

Provided that nothing in this section shall affect the maximum amount of the superannuation allowance or additional allowance which may be granted to any such person.

(2) This section shall have effect with respect to the superannuation and additional allowance of officers who have retired at any time since the seventeenth day of September nineteen hundred and eighteen.

Short title.

2. This Act may be cited as the Superannuation (Prison Officers) Act, 1919, and the Superannuation Acts, 1834 to 1914, and this Act may be cited together as the Superannuation Acts, 1834 to 1919.

CHAPTER 68.

An Act to amend the Law relating to the Royal Irish Constabulary and Dublin Metropolitan Police.

[20th November 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Constitution of representative police bodies.

1.—(1) For the purpose of enabling the members of the Royal Irish Constabulary and Dublin Metropolitan Police to consider and bring to the notice of the chief officer and of the Lord Lieutenant all the matters affecting their welfare and efficiency, other than questions of discipline and promotion affecting individuals, there shall be established in each force, in accordance with rules made by the Lord Lieutenant, a representative body or bodies for all or each of the ranks below the rank of assistant inspector general in the case of the Royal Irish Constabulary, and for all or each of the ranks below the rank of chief superintendent in the case of the Dublin Metropolitan Police, consisting of representatives elected by the members of the ranks or rank represented from amongst their number in manner prescribed by those rules.

(2) Each representative body shall be entirely independent of and unassociated with any body or person outside the force which it represents.

Prohibition against constables being members of trade unions.

2.—(1) Subject as aforesaid, it shall not be lawful for a member of either police force to become, or after the expiration of one month from the passing of this Act to be, a member of any trade union, or of any association of which the objects or one of the objects are or is to control or influence the pay, pensions, or conditions of service of any police force; and any member of either force who contravenes this provision shall be disqualified for continuing to be a member of the force; and if any member of either force continues to act as such after becoming so disqualified he shall forfeit all pension rights and be disqualified for being thereafter employed in any police force:

Provided that, where a man was a member of a trade union before becoming a member of the force, he may, with the consent of the chief officer, continue to be a member of that union during the time of his service in the force.

(2) If any question arises whether any body or association is a trade union or association to which this section applies, the question shall be determined by the Lord Lieutenant.

Penalty on persons causing disaffection, &c.

3. If any person causes or attempts to cause, or does any act calculated to cause disaffection amongst the members of any police force, or induces, or attempts to induce, or does any act calculated to induce any member of a police force to withhold his services or to commit breaches of discipline, he shall be guilty of a misdemeanour, and shall be liable on conviction on indictment to imprisonment, with or without hard labour, for a term not exceeding two years, or on summary conviction, to imprisonment, with or without hard labour, for a term not exceeding three months, or to a fine not exceeding fifty pounds, or to both such imprisonment and fine, and in either case, if a member of a police force, shall forfeit all pension rights and be disqualified for being a member of any police force.

Power of Lord Lieutenant to regulate pay, &c., of either force.

4.—(1) It shall be lawful for the Lord Lieutenant, with the concurrence of the Treasury, to make orders as to the pay, pensions, and allowances of members of either police force, and by any such order to prescribe rates and scales of pay, pensions, and allowances (including conditions applicable thereto) as respects all the members of the force to which the order relates or as respects any rank, class or grade in the force, and, subject to the provisions of the order, any rates, scales, and conditions thereby prescribed shall have effect as from the date therein specified in substitution for the rates, scales, and conditions in force immediately before the making of the order, whether such last-mentioned rates, scales, or conditions were prescribed by statute or any previous order under this section or otherwise:

Provided always that any person who was a member of either police force on the first day of April nineteen hundred and nineteen shall be deemed to be a member of such force for the purposes of this section.

(2) A draft of any order proposed to be made under this section shall be submitted to the representative body or bodies representing any rank or ranks affected, and before making the order the Lord Lieutenant shall consider any representations made by such body or bodies.

(3) Any order made under this section shall be laid before both Houses of Parliament within forty days next after it is made if Parliament is then sitting, or, if not, within forty days after the commencement of the then next ensuing session, and, if an address is presented to His Majesty by either of those Houses within the next subsequent fourteen days on which that House has sat next after any such order is laid before it praying that any such order may be annulled, His Majesty may thereupon by Order in Council annul the same, and the order so annulled

shall forthwith become void, but without prejudice to the validity of any proceedings or acts which may, in the meantime, have been taken or done under the order.

56 & 57 Vict. c. 66.

Section one of the Rules Publication Act, 1893, shall not apply to any such order.

(4) Subject as aforesaid, any order made under this section shall have effect as if enacted in this Act, but may be revoked or varied as occasion requires by any subsequent order so made.

Amendment of 4 & 5 Geo. 5. c. 84. s. 1.

5. Where a member of either police force to whom subsection (1) of section one of the Irish Police Constables (Naval and Military Service) Act, 1914, as extended by any subsequent enactment, applies is unable owing to injuries, ill-health, or other reasonable cause to return to the police force immediately after the termination of his service in the Navy, Army, or Air Force, the interval between the termination of such service and his return to the police force may, if the Lord Lieutenant so directs, be reckoned as a period of service in the police force in calculating any police pension, allowance, or gratuity that may be granted to him or his dependants.

Amendment of 5 & 6 Geo. 5. c. 32.

6. Subsection (2) of section one of the Irish Police (Naval and Military Service) Act, 1915, shall have effect and shall be deemed always to have had effect as if for the words "pensions " and allowances equal to one half the amount payable out of " naval or military funds" there were substituted the words " pensions and allowances in addition to the amount payable out " of naval, military, or air-force funds," and as if it authorised pensions and allowances granted thereunder to be reckoned on the rate of pay which the man would have been receiving at the date of his death or disablement had he then been a member of the police force.

Amendment of 6 & 7 Geo. 5. c. 59. s. 2.

7. Subsection (4) of section two of the Constabulary and Police (Ireland) Act, 1916, shall have effect and shall be deemed always to have had effect as if the following proviso were inserted at the end thereof, namely:—

" Provided that, in the case of a constable promoted as aforesaid, and retiring at any time after the first day of September nineteen hundred and eighteen, the pension shall not be less than if the constable had continued in his former rank."

Penalty on unauthorised use of police uniform.

8. If any person not being a member of a police force wears without the permission of the chief officer the uniform of either police force, or any dress having the appearance or bearing any of the distinctive marks of such uniform, he shall, on summary conviction, be liable to a fine not exceeding ten pounds:

Provided that this section shall not prevent persons from wearing any uniform or dress in the course of a stage play or music hall or circus performance.

Interpretation and short title.

9.—(1) In this Act, unless the context otherwise requires,—

The expression "chief officer" means in the case of the Royal Irish Constabulary the Inspector-General, and in the case of the Dublin Metropolitan Police the Chief Commissioner;

The expression "pensions" includes gratuities; and

The expression "pensions and allowances of members" includes pensions and allowances of widows or children of members.

For the purpose of the provisions of this Act as to representative bodies, a detective officer of the Dublin Metropolitan Police shall be deemed to belong to the same rank as a constable of that force.

(2) This Act may be cited as the Constabulary and Police (Ireland) Act, 1919.

. . . . . .

CHAPTER 69.

An Act to provide for the establishment of an Industrial Court and Courts of Inquiry in connection with Trade Disputes, and to make other provision for the settlement of such disputes, and to continue for a limited period certain of the provisions of the Wages (Temporary Regulation) Act, 1918. [20th November 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

INDUSTRIAL COURTS.

Constitution of Industrial Court.

1.—(1) For the purpose of the settlement of trade disputes in manner provided by this Act, there shall be a standing Industrial Court, consisting of persons to be appointed by the Minister of Labour (in this Act referred to as "the Minister"), of whom some shall be independent persons, some shall be persons representing employers, and some shall be persons representing workmen, and in addition one or more women.

(2) A member of the Industrial Court shall hold office for such term as may be fixed by the Minister at the time of his appointment.

(3) For the purpose of dealing with any matter which may be referred to it, the Court shall be constituted of such of the members of the Court as the president may direct.

(4) The president of the Court, and the chairman of any division of the Court, shall be such person, being one of the independent persons aforesaid, as the Minister may by order, given either generally or specially, direct.

Reference of disputes to Industrial Court or to arbitration.

2.—(1) Any trade dispute as defined by this Act, whether existing or apprehended, may be reported to the Minister by or on behalf of either of the parties to the dispute, and the Minister shall thereupon take the matter into his consideration and take such steps as seem to him expedient for promoting a settlement thereof.

(2) Where a trade dispute exists or is apprehended, the Minister may, subject as hereinafter provided, if he thinks fit and if both parties consent, either—

(*a*) refer the matter for settlement to the Industrial Court; or

(*b*) refer the matter for settlement to the arbitration of one or more persons appointed by him; or

(*c*) refer the matter for settlement to a board of arbitration consisting of one or more persons nominated by or on behalf of the employers concerned and an equal number of persons nominated by or on behalf of the workmen concerned, and an independent chairman nominated by the Minister, and, for the purpose of facilitating the nomination of persons to act as members of a board of arbitration, the Minister of Labour shall constitute panels of persons appearing to him suitable so to act, and women shall be included in the panels.

(3) The Minister may refer to the Industrial Court for advice any matter relating to or arising out of a trade dispute, or trade disputes in general or trade disputes of any class, or any other matter which in his opinion ought to be so referred.

(4) If there are existing in any trade or industry any arrangements for settlement by conciliation or arbitration of disputes in such trade or industry, or any branch thereof, made in pursuance of an agreement between organisations of employers and organisations of workmen representative respectively of substantial proportions of the employers and workmen engaged in that trade or industry, the Minister shall not, unless with the consent of both parties to the dispute, and unless and until there has been a failure to obtain a settlement by means of those arrangements, refer the matter for settlement or advice in accordance with the foregoing provisions of this section.

Procedure of Industrial Court and on arbitrations.

3.—(1) The Minister may make, or authorise the Industrial Court to make, rules regulating the procedure of that Court,

and those rules may, amongst other things, provide for references in certain cases to a single member of the Court, and provide for enabling the Court to sit in two or more divisions, and to sit with assessors, who may be men or women, for enabling the Court or any division of the Court to act notwithstanding any vacancy in their number, and for enabling questions as to the interpretation of any award to be settled without any fresh report or reference.

(2) The Minister may make rules regulating the procedure to be followed in cases where matters are referred for settlement to the arbitration of one or more persons appointed by the Minister.

(3) The Arbitration Act, 1889, shall not apply to any reference to the Industrial Court, or to any reference to arbitration under this Act. 52 & 53 Vict. c. 49.

(4) Where the members of the Industrial Court are unable to agree as to their award, the matter shall be decided by the chairman acting with the full powers of an umpire.

(5) Where any trade dispute referred to the Industrial Court involves questions as to wages, or as to hours of work, or otherwise as to the terms or conditions of or affecting employment which are regulated by any Act other than this Act, the court shall not make any award which is inconsistent with the provision of that Act.

PART II.

COURTS OF INQUIRY.

Inquiry into trade disputes.

4.—(1) Where any trade dispute exists or is apprehended, the Minister may, whether or not the dispute is reported to him under Part I. of this Act, inquire into the causes and circumstances of the dispute, and, if he thinks fit, refer any matters appearing to him to be connected with or relevant to the dispute to a court of inquiry appointed by him for the purpose of such reference, and the court shall, either in public or in private, at their discretion, inquire into the matters referred to them and report thereon to the Minister.

(2) A court of inquiry for the purposes of this Part of this Act (in this Act referred to as "a court of inquiry") shall consist of a chairman and such other persons as the Minister thinks fit to appoint, or may, if the Minister thinks fit, consist of one person appointed by the Minister.

(3) A court of inquiry may act notwithstanding any vacancy in their number.

(4) The Minister may make rules regulating the procedure of any court of inquiry, including rules as to summoning of witnesses, quorum, and the appointment of committees and enabling the court to call for such documents as the court may determine to be relevant to the subject matter of the inquiry.

(5) A court of inquiry may, if and to such extent as may be authorised by rules made under this section, by order require any person who appears to the court to have any knowledge of the subject-matter of the inquiry to furnish, in writing or otherwise, such particulars in relation thereto as the court may require, and, where necessary, to attend before the court and give evidence on oath, and the court may administer or authorise any person to administer an oath for that purpose.

Reports.

5.—(1) A court of inquiry may, if it thinks fit, make interim reports.

(2) Any report of a court of inquiry, and any minority report, shall be laid as soon as may be before both Houses of Parliament.

(3) The Minister may, whether before or after any such report has been laid before Parliament, publish or cause to be published from time to time, in such manner as he thinks fit, any information obtained or conclusions arrived at by the court as the result or in the course of their inquiry:

Provided that there shall not be included in any report or publication made or authorised by the court or the Minister any information obtained by the court in the course of their inquiry as to any trade union or as to any individual business (whether carried on by a person, firm, or company) which is not available otherwise than through evidence given at the inquiry, except with the consent of the secretary of the trade union or of the person, firm, or company in question, nor shall any individual member of the court or any person concerned in the inquiry, without such consent, disclose any such information.

PART III.

CONTINUANCE OF CERTAIN PROVISIONS OF WAGES (TEMPORARY REGULATION) ACT, 1918.

Continuance of 8 & 9 Geo. 5. c. 61.

6.—(1) The provisions of the Wages (Temporary Regulation) Act, 1918, which are specified in the Schedule to this Act shall, subject to the modifications specified in the second column of that Schedule, continue in operation until the thirtieth day of September nineteen hundred and twenty.

(2) Where, before the passing of this Act, any matter has been referred for settlement under the Wages (Temporary Regulation) Act, 1918, and has not, at that date, been settled by the person or persons to whom it has been so referred, the Minister may by order transfer the matter to the Industrial Court, and where any such matter is so transferred the award of that court shall have effect as if it were an award of the interim court of arbitration made under that Act.

PART IV.

GENERAL.

Remuneration and expenses.

7. Any expenses incurred by the Minister in carrying this Act into operation, including the expenses of the Industrial Court and of any court of inquiry, shall be paid out of moneys provided by Parliament.

8. For the purposes of this Act:—

Definition of "trade dispute."

The expression "trade dispute" means any dispute or difference between employers and workmen, or between workmen and workmen connected with the employment or non-employment, or the terms of the employment or with the conditions of labour of any person:

The expression "workman" means any person who has entered into or works under a contract with an employer whether the contract be by way of manual labour, clerical work, or otherwise, be expressed or implied, oral or in writing, and whether it be a contract of service or of apprenticeship or a contract personally to execute any work or labour.

Rules as to appearance by counsel or solicitor.

9. Provision shall be made by rules under this Act with respect to the cases in which persons may appear by counsel or solicitor on proceedings under this Act before the Industrial Court, before an arbitrator or before a court of inquiry, and except as provided by those rules no person shall be entitled to appear on any such proceedings by counsel or solicitor.

Application of Act to the Crown.

10. This Act shall not apply to persons in the naval, military, or air services of the Crown, but otherwise shall apply to workmen employed by or under the Crown in the same manner as if they were employed by or under a private person.

Provision in case of trade disputes in the industry of agriculture.

11. In the case of a trade dispute in the industry of agriculture, steps to be taken under this Act by the Minister of Labour shall be taken in conjunction with the Board of Agriculture and Fisheries.

Application to Scotland and Ireland.

12.—(1) In the application of this Act to Scotland a reference to an oversman shall be substituted for any reference to an umpire, and a reference to the Board of Agriculture for Scotland shall be substituted for any reference to the Board of Agriculture and Fisheries.

(2) In the application of this Act to Ireland, a reference to the Department of Agriculture and Technical Instruction for Ireland shall be substituted for any reference to the Board of Agriculture and Fisheries.

Report to Parliament.

13. The Minister shall from time to time present to Parliament a report of his proceedings under this Act.

Short title

14. This Act may be cited as the Industrial Courts Act, 1919.

Section 6.

SCHEDULE.

Provisions continued in Force.	Modifications.
S. 1 (Obligation to pay prescribed rates of wages).	As from the commencement of this Act the power to substitute any enforceable rate for the prescribed rate shall cease, without prejudice, however, to the enforceability of any rate substituted for the prescribed rate before the commencement of this Act, whether the substituted rate has or has not come into operation before that date, and without prejudice to the enforceability of any rate substituted for the prescribed rate by an award of the Industrial Court under Part III. of this Act.
Subs. (2) of s. 2 (Settlement of differences).	As from the commencement of this Act matters instead of being referred for settlement as provided in subs. (2) shall be referred to the Industrial Court. The words "or as to whether any rate should be substituted for the prescribed rate" shall cease to have effect, and the proviso to subs. (2) shall not apply.
S. 3 (Powers of inquiry).	
S. 4 (Definition of prescribed rates of wages).	As from the commencement of this Act a reference to the Industrial Court shall be substituted for any reference to the Interim Court of Arbitration.
S. 5 (Legal proceedings).	

CHAPTER 70.

An Act to make further provision with respect to the Retirement and Pensions of County Court Judges and the employment of deputy judges, and for purposes in connection therewith. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Compulsory retirement of judges.

1. The office of county court judge shall be vacated at the end of the completed year of service in the course of which the holder of the office attains the age of seventy-two:

Provided that the Lord Chancellor may extend that age from time to time up to such later age (not exceeding seventy-

five) as he thinks fit in the case of any county court judge who has attained the age of seventy-two, if he considers that the retention of his services would be desirable in the public interest.

Pensions of county court judges.

2.—(1) It shall be lawful for the Lord Chancellor from time to time to recommend to the Treasury that there shall be paid to any county court judge—

(*a*) if his office is vacated in pursuance of this Act; or

(*b*) if the Lord Chancellor is satisfied by means of a medical certificate that he is incapable, from infirmity of mind or body, to discharge the duties of his office, and that such incapacity is likely to be permanent; or

(*c*) if he retires after fifteen years' service, and at the time of retirement had attained the age of sixty-five years,

an annual sum by way of pension calculated in accordance with the scale contained in the Schedule to this Act, and such sum shall be charged on and paid out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, and shall be paid quarterly or otherwise in every year as the Treasury may direct.

(2) A person to whom a pension has been granted under this Act before he has attained the age of seventy-two years, in consequence of the incapacity in this section mentioned, shall, until he has attained that age, be liable to be called upon by the Lord Chancellor to resume the duties of a county court judge with the salary attached thereto, and, if (being in a competent state of health) he declines when so called upon to resume such duties or declines or neglects to execute such duties satisfactorily, he shall forfeit his right to the pension which has been granted to him.

(3) Whenever a person has resumed his duties as aforesaid, the payment of the pension which has been granted to him shall be suspended during his period of resumed service, but at the end of that period his pension shall again be payable and be recalculated in accordance with the said scale, and for that purpose the period of his resumed service shall be added to his former period of service.

(4) In the exercise of his powers under section eight of the County Courts Act, 1888, the Lord Chancellor shall, before appointing a person to be a county court judge, take steps to satisfy himself that that person's state of health is satisfactory. 51 & 52 Vict. c. 43.

(5) The decision of the Treasury on any question which arises as to the application of any provision of this Act to any person, or as to the amount of any pension under this Act, or as to the reckoning of any service for such a pension, shall be final.

Application to existing judges.

3. The foregoing provisions of this Act relating to retirement and pensions of county court judges shall not apply to any county court judge appointed before the first day of June nineteen hundred and nineteen unless he shall give written notice, in such form and within such period as may be prescribed by the Lord Chancellor, of his desire to accept those provisions in lieu of the provisions repealed by this Act.

Remuneration and qualification of deputy judges.

4.—(1) Where a deputy has been appointed in the case of the illness of any judge, the Treasury may, on the recommendation of the Lord Chancellor, allow the deputy such remuneration as they think fit, and the remuneration so allowed shall be paid out of money provided by Parliament.

(2) It is hereby declared that amongst the persons qualified to be appointed as deputy judge under section eighteen of the principal Act there is included a former judge of county courts.

Repeal, construction, and citation.

5.—(1) Section twenty-four of the County Courts Act, 1888, is hereby repealed, except as respects judges to whom the provisions of this Act relating to retirement and pensions of county court judges do not apply.

3 Edw. 7. c. 42.

(2) This Act shall be construed as one with the County Courts Act, 1888, and the Acts amending the same, and the County Courts Act, 1888, the County Courts Act, 1903, and this Act may be cited together as the County Courts Acts, 1888 to 1919; and this Act may be cited separately as the County Court Judges (Retirement Pensions and Deputies) Act, 1919.

SCHEDULE.

Section 2.

SCALE OF PENSIONS.

When the number of completed years of service in the office of county court judge is :—

Less than 5,	the annual pension shall not exceed	six-thirtieths of the last annual salary.
5,	" " "	ten-thirtieths " " "
6,	" " "	eleven-thirtieths " " "
7,	" " "	twelve-thirtieths " " "
8,	" " "	thirteen-thirtieths " " "
9,	" " "	fourteen-thirtieths " " "
10,	" " "	fifteen-thirtieths " " "
11,	" " "	sixteen-thirtieths " " "
12,	" " "	seventeen-thirtieths " " "
13,	" " "	eighteen-thirtieths " " "
14,	" " "	nineteen-thirtieths " " "
15 or more	" " "	twenty-thirtieths " " "

CHAPTER 71.

An Act to amend the Law with respect to disqualifications on account of sex. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Removal of disqualification on grounds of sex.

1. A person shall not be disqualified by sex or marriage from the exercise of any public function, or from being appointed to or holding any civil or judicial office or post, or from entering or assuming or carrying on any civil profession or vocation, or for admission to any incorporated society (whether incorporated by Royal Charter or otherwise), and a person shall not be exempted by sex or marriage from the liability to serve as a juror:

Provided that—

(*a*) notwithstanding anything in this section, His Majesty may by Order in Council authorise regulations to be made providing for and prescribing the mode of the admission of women to the civil service of His Majesty, and the conditions on which women admitted to that service may be appointed to or continue to hold posts therein, and giving power to reserve to men any branch of or posts in the civil service in any of His Majesty's possessions overseas, or in any foreign country; and

(*b*) any judge, chairman of quarter sessions, recorder or other person before whom a case is or may be heard may, in his discretion, on an application made by or on behalf of the parties (including in criminal cases the prosecution and the accused) or any of them, or at his own instance, make an order that the jury shall be composed of men only or of women only as the case may require, or may, on an application made by a woman to be exempted from service on a jury in respect of any case by reason of the nature of the evidence to be given or of the issues to be tried, grant such exemption.

Rules of court may be made—

(*a*) prescribing the manner in which jurors are to be summoned and to be selected from the panel; and

(*b*) exempting from attendance as jurors any women who are for medical reasons unfit to attend; and

(*c*) as to the procedure to be adopted on any application under this section relating to service on juries.

Rules so made may require or authorise an application under this section, or any order thereon, to be made in interlocutory

proceedings, and shall have full effect notwithstanding any existing rule of law or practice to the contrary.

As respects any criminal court in England, the expression "rules of court" means rules made by the Rule Committee established under the Indictments Act, 1915.

5 & 6 Geo. 5. c. 90.

Any Order in Council made under this section shall be laid before each House of Parliament forthwith, and, if an Address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after the Order is laid before it, praying that the Order or any part thereof may be annulled, His Majesty in Council may annul the Order, or that part thereof, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Provision as to women who have qualified for degrees at universities not admitting women to degrees.

2. A woman shall be entitled to be admitted and enrolled as a solicitor after serving under articles for three years only if either she has taken such a university degree as would have so entitled her had she been a man, or if she has been admitted to and passed the final examination and kept, under the conditions required of women by the university, the period of residence necessary for a man to obtain a degree at any university which did not at the time the examination was passed admit women to degrees.

Power to universities to admit women to membership, &c.

3. Nothing in the statutes or charter of any university shall be deemed to preclude the authorities of such university from making such provision as they shall think fit for the admission of women to membership thereof, or to any degree, right, or privilege therein or in connection therewith

Short title and repeal.

4.—(1). This Act may be cited as the Sex Disqualification (Removal) Act, 1919.

(2) The enactments specified in the Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule, and any other enactment, Order in Council, Royal Charter, or provision, so far as inconsistent with the provisions of this Act, shall cease to have effect, and any enactment relating to juries shall have effect so as to accord with the provisions of this Act.

Section 4.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Act.	Extent of Repeal.
33 & 34 Vict.	The Juries Act, 1870	In section five the definition of jurors.

Session and Chapter.	Act.	Extent of Repeal.
34 & 35 Vict. c. 65.	The Juries Act (Ireland), 1871	In section three the definition of "juror."
56 & 57 Vict. c. 73.	The Local Government Act, 1894.	In section twenty-two the words "a woman or."
57 & 58 Vict. c. 58.	The Local Government (Scotland) Act, 1894.	In section forty the words "a woman or."
61 & 62 Vict. c. 37.	The Local Government (Ireland) Act, 1898.	In section twenty-six the words "a woman or."
7 Edw. 7. c. 33.	The Qualification of Women (County and Borough Councils) Act, 1907.	The proviso to subsection (1) of section one.
7 Edw. 7. c. 48.	The Qualification of Women (County and Town Councils) (Scotland) Act, 1907.	From the word "Scotland" in section 1 (1) to the end of subsection.
1 & 2 Geo. 5. c. 35.	The Local Authorities (Ireland) (Qualification of Women) Act, 1911.	The proviso to subsection (1) of section one.
4 & 5 Geo. 5. c. 21.	The County and Borough Councils (Qualification) Act, 1914.	The proviso to subsection (1) of section one.
4 & 5 Geo. 5. c. 39.	The County, Town and Parish Councils (Qualification) (Scotland) Act, 1914.	The proviso to subsection (1) of section one.

CHAPTER 72.

An Act to make further provision for the Destruction of Rats and Mice. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Penalty for failure to destroy rats and mice.

1. Any person who shall fail to take such steps as may from time to time be necessary and reasonably practicable for the destruction of rats and mice on or in any land of which he is the occupier, or for preventing such land from becoming infested with rats or mice, shall be liable on summary conviction to a fine not exceeding five pounds, or, where he has been served with a notice under this Act requiring him to take such steps, not exceeding twenty pounds.

Enforcement of Act.

2.—(1) The following local authorities shall execute and enforce this Act; that is to say,—

(*a*) In the city of London, the common council;

(*b*) In any metropolitan borough, the borough council;

(*c*) In any administrative county (other than the county of London) or county borough (except any part thereof which is a port sanitary district), the council of the county or borough;

(*d*) In any port sanitary district, the port sanitary authority:

Provided that the London County Council shall, to the exclusion of any other authority, be the local authority for the purpose of executing and enforcing this Act with respect to the sewers vested in, and the sludge vessels belonging to, that council; provided also that a county council may, with the consent of the council of any borough or county district in the county, delegate its powers and duties under this Act to that borough or district council, and, where powers and duties have been so delegated, the borough or district council shall be the local authority for the purposes of this Act.

(2) The expenses incurred by the local authority under this Act shall be defrayed in the case of a county out of the general county fund, and in the case of a port sanitary authority as part of their expenses as a port sanitary authority, and in any other case as expenses incurred by the local authority in the execution of the Public Health (London) Act, 1891, or the Public Health Act, 1875, as the case may be.

54 & 55 Vict. c. 76. 38 & 39 Vict. c. 55.

Powers of Board of Agriculture and Fisheries in case of default by local authority.

3.—(1) Where a local authority having power to enforce this Act fails, in respect of land of which it is the occupier, to comply with the provisions of section one of this Act or fails, in respect of land for which it is the local authority under section two of this Act, to execute or enforce any of the provisions of this Act, the Board of Agriculture and Fisheries may by order empower the person therein named to enter upon such land and to execute and enforce those provisions or to procure the execution and enforcement thereof.

(2) The expenses incurred by or on behalf of the Board by reason of any such default of a local authority shall be paid to the Board on demand by the treasurer or other proper officer of that local authority, and in default of payment the Board may recover the amount of such expenses (except in so far as such expenses are otherwise recoverable under this Act) from the local authority; and any sum paid by a local authority under this section shall be defrayed as expenses under this Act.

(3) For the purposes of this section, any statement contained in an order of the Board that a local authority has failed to comply with, execute, or enforce any of the provisions of this Act shall be conclusive evidence of such default, and a certificate by the Board of expenses incurred under this section shall be conclusive evidence of such expenses.

Notice by local authority of effective methods.

4. A local authority having power to enforce this Act may from time to time, by public notice within its area, give instructions as to the most effective methods that can be adopted, both individually and collectively, with a view to the destruction of rats and mice.

Powers of local authorities and authorised persons, and penalty for interference.

5.—(1) Where a local authority having power to enforce this Act is of opinion that the occupier of any land in its district has failed to take such steps as are required by section one of this Act, such local authority may either serve a notice on the occupier requiring him to take such steps as are prescribed in the notice within a time specified therein, or, after not less than twenty-four hours previous notice to the occupier, enter upon the land and take such steps as are necessary and reasonably practicable for the purpose of destroying the rats and mice on the land or of preventing the land from becoming infested with rats and mice, and may recover any reasonable expenses so incurred from the occupier of the land summarily as a civil debt.

(2) A local authority in the exercise of its powers under this section shall, as far as possible, take or secure collective action for the destruction of rats or mice.

(3) The powers of a local authority under this Act may be exercised by any committee of the local authority to which the exercise of those powers may be delegated.

(4) Any person authorised in writing by a local authority under this Act, or by a person empowered to act in default of a local authority, may enter any land in the district of such local authority for the purpose of ascertaining whether the steps required by section one of this Act are being taken or of executing and enforcing this Act in any other respect. Any such person must produce the document by which he is authorised if so required.

(5) Any person who shall obstruct or impede an officer or other person authorised as aforesaid in the execution of his duties or powers under this Act, or who, being the occupier of any land, shall fail to comply with any reasonable requirement of any such officer or other authorised person for facilitating the execution of his duties or powers, shall be liable on summary conviction to a fine not exceeding twenty pounds.

Application to vessels.

6.—(1) This Act shall apply to a vessel as if the vessel were land, and the master of the vessel shall be deemed to be the occupier thereof.

(2) A local authority having power to enforce this Act may, by notice served on the master of a vessel in its district, require him to take such necessary and reasonably practicable steps as are prescribed by the notice for preventing the escape of rats and mice from the ship, and, if a master fails to comply with the requirements of any such notice served on him, he shall be

liable on summary conviction to a fine not exceeding twenty pounds.

Prosecutions.

7.—(1) A prosecution for an offence under this Act shall not be instituted except by or with the authority of the Board of Agriculture and Fisheries or the local authority: Provided that this section shall not apply to Scotland.

(2) In any proceedings under this Act a notice purporting to be signed by the clerk of a local authority shall, unless the contrary is proved, be deemed to have been signed by the clerk with the authority of the local authority.

Interpretation.

8. In this Act—

The expression "occupier" means, in the case of land not occupied by any tenant or other person, the owner of the land;

The expression "land" includes any buildings and any other erection on land, and any cellar, sewer, drain or culvert in or under land.

Application to Scotland.

9.—(1) This Act shall apply to Scotland with the following modifications:—

(*a*) The Board of Agriculture for Scotland shall be substituted for the Board of Agriculture and Fisheries:

(*b*) The section of this Act relating to the enforcement of the Act shall not apply, and in lieu thereof the following provisions shall have effect:—

(i) The local authority for executing and enforcing this Act shall be the local authority under the Diseases of Animals Acts, 1894 to 1914;

(ii) The expenses incurred by any local authority under this Act shall be defrayed in like manner as expenses incurred by a local authority under the Diseases of Animals Acts, 1894 to 1914.

Application to Ireland.

(2) This Act shall apply to Ireland with the following modifications:—

(*a*) Any reference to the Board of Agriculture and Fisheries shall be construed as a reference to the Local Government Board for Ireland:

(*b*) Subject to the exercise of the powers of delegation given to a county council by this Act, the local authorities for the purposes of this Act shall be, as respects so much of any administrative county or county borough as is not included in a port sanitary district, the council of the county or borough, and as respects any port sanitary district the port sanitary authority:

(*c*) The expenses incurred by a local authority under this Act shall be defrayed, in the case of a county council, out of the poor rate as a county at large charge; in the case of a port sanitary authority as part of their

expenses as such authority ; and in the case of any other local authority as expenses incurred in the execution of the Public Health (Ireland) Acts, 1878 to 1919.

Saving of existing powers.

10. The powers conferred by this Act shall be in addition to and not in derogation of any powers conferred on any Government department or local authority, and all such powers may be exercised concurrently in respect of any land.

Service of notices.

11. Any notice under this Act may be served either personally or by registered post.

Short title.

12. This Act may be cited as the Rats and Mice (Destruction) Act, 1919, and shall come into operation on the first day of January nineteen hundred and twenty.

CHAPTER 73.

An Act to amend the law relating to County Courts and to make further provision with respect to the powers of those Courts. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

51 & 52 Vict. c. 43.

1. The following section shall be substituted for section sixty-five of the County Courts Act, 1888 (hereinafter referred to as "the principal Act") :—

Transfer of actions of contract, of tort, and for recovery of land from High Court to county court.

"In any action commenced in the High Court where—

"(1) the plaintiff's claim is founded either on contract or on tort and the amount claimed or remaining in dispute in respect thereof does not exceed one hundred pounds, whether the action could or could not have been commenced in a county court, and whether the defendant does or does not set up or intend to rely on a counterclaim, and whether the counterclaim (if any) is founded on contract or on tort, and whether the amount claimed on the counterclaim exceeds or does not exceed one hundred pounds ; or

"(2) the only matter remaining to be tried between the parties is a counterclaim, whether founded on contract or on tort, and whether the counterclaim if it had been an action could or could not have been commenced in a county court, and the amount claimed or remaining in dispute in

respect of the counterclaim does not exceed one hundred pounds; or

"(3) the plaintiff's claim is for recovery of land, with or without a claim for rent or mesne profits, by a landlord against a tenant or any person holding or claiming by, through, or under a tenant, whose term has expired or has been duly determined by notice to quit or has become liable to forfeiture for non-payment of rent, and the action could have been commenced in a county court;

either party may at any time apply to the court or a judge for an order that the claim and counterclaim (if any) or, if the only matter remaining to be tried is a counterclaim, the counterclaim, shall be transferred—

"(*a*) to any county court in which the action might have been commenced if the subject matter and the amount thereof had been within the jurisdiction of the court; or

"(*b*) if the only matter remaining to be tried is a counterclaim, to any county court in which the counterclaim might have been commenced if it had been an action and the subject matter thereof had been within the jurisdiction of the court; or

"(*c*) to any county court which the court or judge may deem the most convenient to the parties;

and the court or a judge may thereupon, if the court or judge thinks fit, order the same to be so transferred accordingly."

2. The following section shall be substituted for section sixty-six of the principal Act:—

Transfer of actions of tort where plaintiff is without visible means of paying costs.

"In any action founded on tort commenced in the High Court the defendant may, on an affidavit made by himself or by any person on his behalf showing that the plaintiff has no visible means of paying the costs of the defendant should a verdict not be found for the plaintiff, apply to the court or a judge for an order to transfer the action to a county court; and thereupon the court or judge, unless the plaintiff satisfies the court or judge that he has such means, may, if the court or judge having regard to all the circumstances of the case thinks fit so to do, make an order that unless the plaintiff within a time to be limited in the order gives security for the defendant's costs to the satisfaction of the court or a judge the action shall be transferred to such county court to be named in the order as the court or judge may deem the most convenient to the parties."

Transfer, &c. of applications to attach debts or levy execution against member of firm.

3. Where an application is made to the High Court for the attachment of any debt to answer a judgment or order, or for leave to issue execution against a person as being a member of a firm against which a judgment or order has been obtained, and the amount of the debt sought to be attached, or for which execution is sought to be levied, as the case may be, does not

exceed one hundred pounds, the court or a judge may make an order either—

(1) transferring the matter to; or

(2) directing that any issue necessary for determining the matter shall be tried in,

such county court to be named in the order as the court or judge may deem the most convenient to the parties.

Procedure on transfer of cases from High Court and trial of transferred cases.

4.—(1) Where, under any of the provisions of the principal Act or this Act, an action or counterclaim or matter is ordered to be transferred from the High Court to a county court, any party may lodge with the registrar of the county court named in the order, or cause to be lodged with him, the order and the writ or copies thereof and such other documents (if any) as the court or judge may direct, and the proper officer of the Supreme Court shall, on the application of such party and on production of the order and the filing of a copy thereof, send by post to the registrar of the county court all pleadings, affidavits and other documents filed in the High Court relating to the action, counterclaim or matter.

On the documents aforesaid being so lodged or sent, the action and counterclaim (if any), or the counterclaim or matter, shall be transferred to the said county court, and, subject to county court rules, all further proceedings therein shall be taken and tried as if the action, counterclaim, or matter had been originally commenced in that county court, and the county court shall have jurisdiction to deal with the same, any enactment to the contrary notwithstanding:

Provided that the transfer shall not affect any right of appeal in the High Court or to the Court of Appeal from the order directing the transfer, or the right to enforce in the High Court any judgment signed or order made in that court before the transfer.

(2) Where, under the foregoing provisions of this Act, an order is made directing an issue to be tried in a county court, the order shall define the issue to be tried, and any party may lodge or cause to be lodged the order, together with the affidavits (if any) filed in matter, and such other documents (if any) as the court or judge may direct, with the registrar of the county court named in the order, and on the documents aforesaid being so lodged the issue shall, subject to county court rules, be tried in that county court, and the judge of that county court, after the same has been so tried, shall certify the result of the trial and send his certificate to the High Court, together with the documents aforesaid and any report which he may think fit to make as to costs or otherwise.

Jurisdiction of registrar.

5.—(1) Subject to county court rules, a registrar may, on the application of the parties and by leave of the judge, hear and determine any case in which the sum claimed or the amount involved does not exceed five pounds.

(2) Where a defendant gives notice in the prescribed manner that he admits his liability for the whole or any part of a claim, but desires the decision of the court as to the time and mode of payment thereof and offers to pay the same, the registrar shall, subject to county court rules, on such notice to the plaintiff as may be prescribed, and unless, where the defendant admits less than the full amount claimed, the plaintiff objects in the prescribed manner to accept the amount admitted and the offer of payment in satisfaction of his claim, have power to enter up judgment and, for this purpose, to decide any question as to time and mode of payment.

(3) Where the plaintiff and defendant enter into an agreement in the prescribed manner as to the amount payable in respect of the whole or any part of a claim and the terms and conditions upon which the same is to be paid and satisfied, the registrar shall, subject to county court rules, have power to enter up judgment for the amount so agreed upon and for a payment thereof upon the terms and conditions sanctioned in the agreement.

(4) In any case where the registrar has power under the principal Act or this Act to hear and determine a case or to enter up judgment he shall have power to make such order as to payment by instalments as the judge might have made, and to exercise any other power which the judge might have exercised, and, subject to the provisions of this Act with respect to appeals, any judgment entered up by the registrar in pursuance of the principal Act or this Act shall, to all intents and purposes, have the same effect and shall be enforced and enforceable in the same manner as if it had been a judgment of the judge of the same court.

Power to refer matters for inquiry and report.

6.—(1) Subject to county court rules, the judge may in any case, with the consent of the parties, refer any action or matter or any question arising therein to the registrar or a referee for inquiry and report, and may direct how such reference shall be conducted, and may remit any report for further inquiry and report, and on consideration of any report or further report the judge may give such judgment or make such order in the action or matter as may be just, without prejudice to any right of appeal.

(2) The powers conferred by this section shall be in addition to the powers to refer matters of account to the registrar and to refer matters to arbitration conferred by sections ninety-two and one hundred and four of the principal Act.

Appeals from registrar.

7. Any judgment or order of a registrar, and any execution thereon, (except where all parties have consented to the terms of the judgment or order), may, on application made within such time and in such manner as may be prescribed, be set aside by the judge of the county court, and the judge may give such judgment or make such order in substitution therefor as

he thinks fit, or may grant a new trial on such terms (if any) as he may think fit.

8. The following section shall be substituted for section eighty-six of the principal Act:—

Default summons.

"(1) County Court rules may provide for the issue, under the prescribed conditions, of a default summons, in the prescribed form or to the prescribed effect, in any action for a debt or liquidated demand in money, and may provide for the manner in which such a summons is to be served and the conditions (if any) under which the defendant is to be entitled to defend the action; and, where such conditions are not complied with, it shall be lawful for the registrar to enter up judgment summarily for the plaintiff in manner prescribed by the rules.

"(2) The rules may provide for different procedure and different conditions according to the amount of the claim or the nature thereof or the position or occupation of the defendant, for the exclusion of any actions from the procedure by default summons, and for the amendments to be allowed in the case of a default summons, and the procedure consequent on any such amendment."

Additional courts and power of registrar when judge not present.

9.—(1) A judge may, and, if so required by the Lord Chancellor, shall, appoint additional courts to be held, and, subject to county court rules, it shall be lawful for the registrar at any such additional court, notwithstanding that the judge is not present, to enter up any judgment and exercise any other jurisdiction which he is by the principal Act or this Act authorised to enter up or exercise, and to adjourn any such court.

(2) Any such additional court may be appointed to be held at any place within the district at which an office is kept open by the registrar.

Power of judge where action commenced in the wrong court.

10.—(1) Where an action or matter is commenced in a county court, which ought to have been commenced in some other county court, the judge may, if he thinks fit, and upon such terms as to costs and otherwise as he thinks fit, instead of ordering it to be struck out in accordance with section one hundred and fourteen of the principal Act, either transfer the action or matter to the county court in which it ought to have been commenced or proceed to hear and determine the case in the court in which it was commenced, and in the latter case that court shall have jurisdiction in like manner as if it had been the court in which the action or matter ought to have commenced.

(2) Where an action or matter is transferred from one county court to another under this section, the provisions of section eighty-five of the principal Act relating to procedure on transfer and to the trial or hearing of a transferred action or matter shall apply in like manner as if the action or matter had been transferred under that section.

Costs of actions commenced in High Court which could have been commenced in county court.

11. The following section shall be substituted for section one hundred and sixteen of the principal Act:—

"(1) Where an action is brought in the High Court which could have been commenced in a county court, then, if the plaintiff recovers a sum less, in the case of an action founded on a contract, than forty pounds, or in the case of an action founded on tort than ten pounds, he shall not be entitled to any costs of the action, and if he recovers, in the case of an action founded on contract a sum of forty pounds or upwards but less than one hundred pounds, or in the case of an action founded on tort a sum of ten pounds or upwards but less than fifty pounds, he shall not be entitled to any more costs of the action than those to which he would have been entitled if the action had been brought in a county court, and where a plaintiff is entitled to costs on a county court scale only the taxing master shall have the same power of directing on what county court scale and under what column in the scale costs are to be allowed and of allowing any items of costs as the judge would have had if the action had been brought in a county court:

"Provided that—

"(i) in any such action, whether founded on contract or tort, the court or a judge, or where the action is tried before a referee or officer of the Supreme Court, that referee or officer, if satisfied that there was sufficient reason for bringing the action in the High Court or that the defendant or one of the defendants objected to the transfer of the action to a county court, may make an order allowing the costs or any part of the costs thereof on the High Court scale or on such one of the county court scales and under such one of the columns in the scale as he may direct; and

"(ii) if in any action founded on contract the plaintiff within twenty-one days after the service of the writ, or within such further time as may be allowed by the court or a judge, obtains an order under Order XIV. of the rules of the Supreme Court that he shall be at liberty to sign judgment for a sum of twenty pounds or upwards either unconditionally or unless that sum is paid into court or to the plaintiff's solicitor, he shall, unless otherwise ordered by the court or a judge, be entitled to costs on the High Court scale.

"(2) This section applies only to the costs of the proceedings in the High Court."

Costs in cases transferred from one court to another.

12. Where an action, counterclaim, or matter is transferred or removed from the High Court to a county court, or from a county court to the High Court, or from one county court to another county court, the costs of the whole proceedings both before and after the transfer or removal shall, subject to any

order made by the court which ordered the transfer or removal, be in the discretion of the court to which the matter is transferred or removed, and that court shall have power to make orders with respect thereto and as to the scales or columns on or under which the costs of the several parts of the proceedings are to be taxed, and the costs of the whole proceedings shall be taxed in that court:

Provided that, as regards so much of the proceedings in any action transferred from the High Court to a county court as take place in the High Court before the transfer, the costs thereof shall be subject to the provisions of the last foregoing section of this Act, and the powers of the court or a judge under that section to make an order allowing costs on the High Court scale or on or under any county court scale or column shall, subject to any order of the court or judge by whom the transfer was ordered, be exerciseable by the judge of the county court.

Commencement of proceedings in Admiralty causes. 31 & 32 Vict. c. 71.

13. Section twenty-one of the County Courts Admiralty Jurisdiction Act, 1868 (which prescribes the county courts in which Admiralty proceedings are to be commenced), shall cease to have effect, and provision may be made by county court rules as to the courts in which proceedings may be commenced in cases which by virtue of that Act, or any Act amending that Act, may be brought in a county court.

Continuance of ex-judges in commission of the peace.

14. Where, in pursuance of section seventeen of the principal Act, the judge for the time being of a county court is included in any commission of the peace, every person holding the office of judge of that court shall, on ceasing to hold the office, continue to be included in the commission as if he had been personally named therein.

Power to registrars to act for more than one court, and place of residence of registrars.

15. Notwithstanding anything in section twenty-five of the principal Act—

(*a*) the same person may, with the consent of the Lord Chancellor, and subject to such conditions (including conditions as to salary) as the Lord Chancellor may impose, be appointed registrar of more than one court; and

(*b*) the registrar of a court may, with the consent of the Lord Chancellor and subject to such conditions as the Lord Chancellor may impose, reside outside the district of which he is the registrar.

Deputy high bailiffs.

16. So much of section thirty-one of the principal Act as relates to the appointment of deputy registrars shall apply to the appointment of deputy high bailiffs, with the substitution of the words "high bailiff" for the word "registrar."

Examination of witnesses abroad.

17. The High Court shall, on application made in manner prescribed by rules of the Supreme Court, have the same power to issue a commission, request, or order, to examine witnesses

abroad for the purposes of an action or matter in a county court as it has for the purposes of an action or matter in the High Court; but on an application being made for the issue of such a commission, request, or order, the High Court may, if it thinks fit, make an order for the transfer of the action or matter to the High Court.

Payment of judgment debts.

18.—(1) Where a judgment or order has been obtained in a county court for a sum of money and no order is made as to payment by instalments, the money shall, if the court so directs, be paid by one party to the other party or his solicitor, subject to the lien, if any, of that solicitor, instead of being paid into court as required by section one hundred and five of the principal Act.

(2) Where money is directed to be so paid under a judgment, the judgment shall not be registered pursuant to section one hundred and eighty-three of the principal Act, if, before the expiration of twenty-one clear days from the entry of the judgment, or such other time as may be prescribed, proof is given to the registrar in the prescribed form that the judgment has been satisfied.

19. The following section shall be substituted for section one hundred and fifty of the principal Act:—

Set-off in cases of cross-judgments in county courts and High Court.

"(1) Where one person has obtained a judgment or an order in a county court against another person, and that other person has obtained a judgment or order against the first-mentioned person in the same or in another county court or in the High Court, either such person may, in accordance with rules of court, give notice in writing to the court or the several courts, as the case may be, and may apply to the court or any of the said courts in accordance with rules of court for leave to set off any sums, including costs, payable under the several judgments or orders.

"(2) Upon any such application the set-off may be allowed in accordance with the practice for the time being in force in the High Court as to the allowance of set-off and in particular in relation to any solicitor's lien for costs.

"(3) Where the cross-judgments or orders have not been obtained in the same court, a copy of the order made on any such application shall be sent by the proper officer of the court to which the application is made to the proper officer of the other court."

Extension of 51 & 52 Vict. c. 43. s. 151 to orders as well as judgments.

20. Section one hundred and fifty-one of the principal Act (which relates to the removal of judgments for sums exceeding twenty pounds from the county court to the High Court) shall apply to orders obtained in a county court in the same manner as to judgments so obtained.

Execution of warrants of possession.

21. For the purpose of executing a warrant to give possession of any premises, it shall not be necessary to remove any goods or chattels from those premises.

Juries.

22.—(1) The number of jurymen to be empanelled and sworn for the trial of any action in a county court shall be eight, and the amount to be paid to the registrar for payment of the jury shall be eight shillings.

(2) The amount which a juryman may be ordered to forfeit in default of attendance shall not be more than five pounds.

(3) The list of persons qualified and liable to serve as jurors in a court shall not be delivered by the sheriff or high bailiff to the registrar of the court unless and until a demand is made by the registrar in that behalf.

(4) Sections one hundred and one and one hundred and two of the principal Act shall have effect subject to the provisions of this section.

23. The following provision shall be substituted for section one hundred and fifty-three of the principal Act, viz. :—

Power to judge to suspend execution or order discharge.

"If at any time it appears to the satisfaction of the judge that any party to an action or matter is unable from any cause to pay and discharge any debt, damages, costs, or other sum recovered against him, or any instalment thereof, it shall be lawful for the judge, in his discretion, to suspend or stay any judgment, order, or execution given, made, or issued in such action or matter, for such time and on such terms as the judge shall think fit, and so from time to time until it shall appear that the cause of inability has ceased, or to order, upon such terms (including liability to re-arrest if the terms are not complied with) as the judge may think fit, the discharge of any debtor arrested or confined in prison by order of the court who ought in the opinion of the judge to be discharged."

County court rules. 51 & 52 Vict. c. 43, s. 164.

24.—(1) The persons in whom the power of making rules under section one hundred and sixty-four of the principal Act is vested shall, in addition to the five judges appointed by the Lord Chancellor under that section, include three persons appointed by the Lord Chancellor, of whom one shall be a barrister, one a registrar of a county court, and one a solicitor.

(2) The power of making rules under section one hundred and sixty-four of the principal Act shall extend to making rules—

(*a*) for carrying this Act into effect:

(*b*) for requiring each party in any action where the debt, demand, or damage claimed or counterclaimed exceeds twenty pounds, or such greater amount as may be provided by the rules, to state the nature of his claim or defence in writing in sufficient time before the trial in the form of particulars or otherwise;

and the provisions of the principal Act as to the procedure and practice in actions in the county court shall have effect subject to such modifications therein as may be made by any rules made in pursuance of the powers given by this section.

Rules as to examination and discovery, &c. in workmen's compensation cases. 6 Edw. 7. c. 58.

25. Rules under the Workmen's Compensation Act, 1906, may provide for conferring on the judge or registrar of a county court the like powers of—

(*a*) making orders for the examination of witnesses and persons, and for discovery, interrogatories, and inspection of documents and for further particulars; and

(*b*) of granting a new trial

in proceedings under that Act as are exerciseable as respects actions in county courts.

Distribution of compensation on the death of a dependant.

26. In the event of the death of any person entitled as a dependant to money paid into a county court under the Workmen's Compensation Act, 1906, then, if no direction has been given as to the disposition thereof for the benefit of other dependants in the event of the death of the person entitled thereto, the court may, without probate or letters of administration, distribute the sum amongst such persons as appear to the court, upon such evidence as the court may deem satisfactory, to be entitled by law to receive the same, or if the dependant so dying is illegitimate and dies intestate, amongst the persons who in the opinion of the Court would have been entitled thereto if the dependant had been legitimate; and, if there are no such persons, the Court shall deal with the sum as the Treasury may direct:

Provided that, where the principal value of the estate of the dependant so dying exceeds one hundred pounds, any sum paid under this section without probate or letters of administration shall be liable to estate duty as part of the amount on which that duty is charged, and the county court shall, before making any such payment, require a statutory declaration by the claimant, or by one of the claimants, that the principal value of the estate, including the sum in question, does not, after deduction of debts and funeral expenses, exceed the value of one hundred pounds, or the production of a letter or certificate from the Commissioners of Inland Revenue stating either that all duties payable in respect of the sum in question have been paid, or that no duty thereon is payable.

Short title, commencement, and repeal.

27.—(1) This Act may be cited as the County Courts Act, 1919, and this Act, except so far as it amends the Workmen's Compensation Act, 1906, shall be construed as one with the principal Act; and the principal Act and the County Courts Act, 1903, and this Act may be cited together as the County Courts Acts, 1888 to 1919.

(2) This Act shall come into operation on the first day of April nineteen hundred and twenty.

(3) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent and subject as specified in the third column of that schedule.

SCHEDULE.

Section 27.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
18 & 19 Vict. c. 67.	The Summary Procedure on Bills of Exchange Act, 1855.	The whole Act so far as applies to county courts, as from the date on which rules made under this Act and dealing with the subject matter of the said enactment come into operation.
31 & 32 Vict. c. 71.	The County Courts (Admiralty Jurisdiction) Act, 1868.	Section twenty-one, as from the date on which rules made under this Act and dealing with the subject matter of the said enactment come into operation.
51 & 52 Vict. c. 43.	The County Courts Act, 1888.	Sections sixty-five and sixty-six. Section eighty-six, as from the date on which rules made under this Act and dealing with the subject matter of the said enactment come into operation. Section ninety from "but the judgment" to the end of the section. In section ninety-two the words from "Subject to rules and orders" to "two pounds." Sections ninety-eight and ninety-nine. Section one hundred and sixteen. Section one hundred and fifty. Section one hundred and fifty-three.
3 Edw. 7. c. 42.	The County Courts Act, 1903.	Section four.

CHAPTER 74.

An Act to amend the Law with respect to Customs in the Isle of Man. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of certain Customs duties. 6 & 7 Geo. 5. c. 27.

1.—(1) Subject to the provisions of this Act, the following duties of Customs on goods removed or imported into the Isle of Man, imposed by the Isle of Man (Customs) Act, 1916, shall

continue to be charged, levied, and paid as from the first day of August nineteen hundred and nineteen until the first day of August nineteen hundred and twenty, that is to say:—

Duty.	Section of Act.
Duty on motor spirit	1
Duties on cocoa	2
Additional duties on coffee and chicory	3
Duty on articles or substitutes prepared or manufactured for the purpose of being in imitation of, or in any respect to resemble or serve as a substitute for, coffee or chicory.	4 (2)

(2) The additional duties of customs on tea removed or imported into the Isle of Man, imposed by the Isle of Man (Customs) Act, 1917, shall continue to be charged, levied, and paid as from the first day of August nineteen hundred and nineteen until the first day of August nineteen hundred and twenty.

7 & 8 Geo. 5. c. 35.

(3) The additional duties of Customs on tobacco removed or imported into the Isle of Man, imposed by the Isle of Man (Customs) Act, 1918, shall continue to be charged, levied, and paid as from the first day of August nineteen hundred and nineteen until the first day of August nineteen hundred and twenty.

8 & 9 Geo. 5. c. 41.

Additional duty on beer and spirits.

2. Subject to the provisions of this Act, there shall be charged, levied, and paid, on and from the sixth day of May nineteen hundred and nineteen until the first day of August nineteen hundred and twenty, such additional duties of Customs on ale or beer and on spirits removed or imported into the Isle of Man as shall be sufficient to make, when added to the existing duties, duties at the rate or rates specified, as respects ale or beer, in Part I. of the First Schedule to this Act (with a proportional increase or decrease according to the specific gravity of the worts thereof before fermentation), and, as respects spirits, in Part II. of that schedule.

Repeal of duties on motor spirit made in the United Kingdom.

3. As from the first day of May nineteen hundred and nineteen the duties of Customs on motor spirit removed or imported into the Isle of Man shall cease to be chargeable in respect of motor spirit made in Great Britain or Ireland.

Repeal of duties on sugar, &c.

4. The duties of Customs on sugar, molasses, glucose and saccharin removed or imported into the Isle of Man shall cease to be chargeable, as regards sugar, as from the first day of August nineteen hundred and nineteen, and as regards molasses, glucose and saccharin, as from the fourteenth day of October nineteen hundred and nineteen.

5.—(1) With a view to conferring a preference in the case of Empire products, the duties of Customs on the goods removed or imported into the Isle of Man, specified in the Second Schedule to this Act, shall, on and after the dates provided in that schedule, be charged at the reduced rates (hereinafter referred to as "preferential rates") shown in the second column of that schedule, where the goods are shown to the satisfaction of the Commissioners of Customs and Excise to have been consigned from and grown, produced, or manufactured in the British Empire. Imperial preference.

(2) The provisions of subsections (1) and (2) of section eight of the Finance Act, 1919, shall apply with respect to the preferential rates referred to in this section as they apply with respect to the preferential rates referred to in that section as though those provisions were herein set out and in terms made applicable to the rates referred to in this section, with the substitution of the Lieutenant-Governor of the Isle of Man for the Board of Trade, and with the substitution of the Isle of Man for Great Britain and Ireland. 9 & 10 Geo. 5. c. 32.

6.—(1) This Act may be cited as the Isle of Man (Customs) Act, 1919. Short title and repeal.

(2) The enactments mentioned in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

SCHEDULES.

FIRST SCHEDULE. Section 2.

PART I.

DUTY ON ALE OR BEER.

	£	*s.*	*d.*
For every thirty-six gallons where the worts were before fermentation of a specific gravity of 1,055 degrees a duty of - - - - - - -	3	4	0

PART II.

DUTIES ON SPIRITS.

Nature of Spirits.	Rate of Duty. Up to October 7th, 1919.	Rate of Duty. On and after October 7th, 1919.
	£ s. d.	£ s. d.
Brandy, Geneva and other foreign spirits the gallon	2 7 6	2 10 0
Rum, including shrub of the British Possessions - - - - the gallon	2 7 6	2 10 0
British and Irish spirits, not otherwise exempted from the payment of duty the gallon	2 7 6	2 10 0
Liqueurs, cordials, and mixed or sweetened spirits - - - - - the gallon	2 7 6	2 10 0
All such spirits to be computed at hydrometer proof, provided that, where a person importing liqueurs, cordials, or mixed or sweetened spirits in bottle has entered same in such manner as to indicate that the strength is not to be tested, duty shall be levied and paid at the rate of the gallon	2 19 5	3 2 9
Perfumed spirits - - - the gallon	3 6 6	3 10 6

Section 5.

SECOND SCHEDULE.

PREFERENTIAL RATES.

Goods.	Rate of Duty.
Tea - - -	Five-sixths of the full rate.
Cocoa - - -	
Coffee - - -	
Chicory - - -	
Motor Spirit - -	
Tobacco - - -	
Wine:	
Not exceeding 30 per cent. of proof spirit.	Sixty per cent. of the full rate.
Exceeding 30 per cent. of proof spirit.	Sixty-six and two-thirds per cent. of the full rate.
Sparkling wine in bottle (additional duty).	Seventy per cent. of the full rate.
Still wine in bottle (additional duty).	Fifty per cent. of the full rate.
Spirits - - -	Rates equivalent to the full rates as chargeable under this Act up to October 7th, 1919.

The preferential rates shall be charged—

(*a*) in the case of tea, on and after the seventh day of October nineteen hundred and nineteen ;

(*b*) in the case of spirits, on and after the seventh day of October nineteen hundred and nineteen ;

(*c*) in the case of any other goods, on and after the first day of September nineteen hundred and nineteen.

THIRD SCHEDULE.

Section 6.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
3 Edw. 7. c. 35	Isle of Man (Customs) Act, 1903.	Section one. Section two. First and Second Schedules.
8 Edw. 7. c. 9	Isle of Man (Customs) Act, 1908.	Section two. Schedule.
6 & 7 Geo. 5. c. 27.	Isle of Man (Customs) Act, 1916.	Section five. Schedule.

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CHAPTER 75.

An Act to enable Local Authorities to acquire existing Ferries by Agreement. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power of local authority to acquire, &c., existing ferries.

1.—(1) A local authority may, with the consent of the Minister of Transport, purchase or accept the transfer of, and the owner of any existing ferry may sell or transfer to a local authority, upon such terms as may be agreed on between the owner and the local authority, any existing ferry which is within the area of that local authority or which serves the inhabitants of that area.

(2) Subject to the provisions of any Act of Parliament under which the ferry was established, and to the rights of any other persons, the local authority may work, maintain and

improve the ferry and charge such tolls as were legally chargeable in respect of the ferry before the sale or transfer thereof to the local authority, or such other tolls as the local authority, with the approval of the Minister of Transport, may determine, or, with the approval of the Minister of Transport, the local authority may, if they think fit, free the ferry from tolls, and shall have the rights and powers which the owner of the ferry possessed and shall be subject to the obligations and liabilities to which he was subject.

(3) A local authority may join with any other local authority for the purchase or acceptance, working, maintenance, or improvement of a ferry under this Act, or may contribute towards the expenses of the purchase or acceptance, working, maintenance, or improvement of a ferry by another local authority, and any difference which may arise between any local authorities who are acting jointly or jointly bearing any expenses under this subsection shall be determined by the Minister of Transport, or by an arbitrator appointed by him, and such determination shall be final and binding.

(4) In this Act the expression "existing ferry" means any ferry legally established by Act of Parliament or otherwise at the date of the purchase or transfer, and includes all boats and other vessels, landing stages, approaches, apparatus, plant and other property used in connection with the ferry.

(5) The Minister of Transport shall have the like powers with respect to the holding of local inquiries for the purposes of this Act as are conferred by section eighty-seven of the Local Government Act, 1888, upon the Minister of Health for the purposes of that Act.

51 & 52 Vict. c. 41.

(6) In this Act the expression "local authority" means and includes a county council, the mayor, aldermen and burgesses of a county or other borough, and the council of any urban or rural district.

(7) Any expenses incurred by a local authority under this Act may be defrayed, in the case of a county council out of the county fund, and in the case of the council of a borough or urban or rural district as part of the general expenses incurred in the execution of the Public Health Acts, 1875 to 1908.

(8) A local authority, if a county council, may borrow for the purposes of this Act under section sixty-nine of the Local Government Act, 1888, as if those purposes were mentioned in that section, and, if a council of a county, or other borough, or a district council, shall have the same power of borrowing for the purposes of this Act as they have under the Public Health Acts, 1875 to 1908, for the purpose of defraying any expenses incurred by them in the execution of those Acts.

Protection of general public.

2. In the case of every ferry acquired under this Act, regulations with regard to the working shall be made by the local authority for the protection from injury of passengers and the

general public: Provided that no such regulation shall have any force or validity until the same have been confirmed by the Minister of Transport with or without amendment. Offenders against such regulations shall be liable on summary conviction to such penalties, not exceeding forty shillings, as may be thereby prescribed.

Crown rights.

3. Nothing in this Act affects prejudicially any estate, right, power, privilege, or exemption of the Crown and in particular nothing herein contained authorises any local authority to take, use, or in any manner interfere with any portion of the shore or bed of the sea or of any river, channel, creek, bay, or estuary or any land, hereditaments, subjects, or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade, as the case may be, on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Exemption from tolls in case of persons in service of Crown, &c.

4. Without prejudice to any existing right of His Majesty, and save as provided by the Army Act, nothing in this Act shall extend to authorise any tolls to be demanded or received from any person when on duty in the service of the Crown, or for any animal, vehicle, or goods the property of, or when being used in the service of, the Crown, or returning after being so used, or from any police officer acting in the execution of his duty, or for any mail bag as defined by the Post Office Act, 1908. If any person wilfully and with intent to defraud claims or takes the benefit of any such exemption as aforesaid without being entitled thereto, he shall for every such offence be liable, on summary conviction, to a fine not exceeding ten pounds.

8 Edw. 7. c. 48.

Application to Ireland.

5. This Act in its application to Ireland shall be subject to the following modifications (that is to say):—

(1) The reference to the Minister of Health shall be construed as a reference to the Local Government Board for Ireland:

(2) The expenses incurred by a county council shall be raised as a county at large charge:

(3) The reference to section sixty-nine of the Local Government Act, 1888, shall be construed as a reference to article twenty-two of the schedule to the Local Government (Application of Enactments) Order, 1898, and the reference to section eighty-seven of the said Act shall be construed as a reference to article thirty-two of the said schedule, and any other references to the said Act shall be construed as a reference to the Local Government (Ireland) Act, 1898:

61 & 62 Vict. c. 37.

(4) The reference to the Public Health Acts, 1875 to 1908, shall be construed as a reference to the Public Health (Ireland) Acts, 1878 to 1918.

Extent and short title.

6.—(1) This Act shall not extend to Scotland.

(2) This Act may be cited as the Ferries (Acquisition by Local Authorities) Act, 1919.

CHAPTER 76.

An Act to confer powers on the National Assembly of the Church of England constituted in accordance with the constitution attached as an Appendix to the Addresses presented to His Majesty by the Convocations of Canterbury and York on the tenth day of May nineteen hundred and nineteen, and for other purposes connected therewith. [23rd December 1919.]

WHEREAS the Convocations of Canterbury and York have recommended in Addresses presented to His Majesty on the tenth day of May nineteen hundred and nineteen, that, subject to the control and authority of His Majesty and of the two Houses of Parliament, powers in regard to legislation touching matters concerning the Church of England shall be conferred on the National Assembly of the Church of England constituted in the manner set forth in identical terms in the Appendix attached to their several Addresses :

And whereas it is expedient, subject to such control and authority as aforesaid, that such powers should be conferred on the Church Assembly so constituted :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Definitions.

1. In this Act—

(1) "The National Assembly of the Church of England" (hereinafter called "the Church Assembly") means the Assembly constituted in accordance with the constitution set forth in the Appendix to the Addresses presented to His Majesty by the Convocations of Canterbury and York on the tenth day of May nineteen hundred and nineteen, and laid before both Houses of Parliament;

(2) "The Constitution" means the Constitution of the Church Assembly set forth in the Appendix to the Addresses presented by the Convocations of Canterbury and York to His Majesty as aforesaid;

(3) "The Legislative Committee" means the Legislative Committee of the Church Assembly appointed in accordance with the provisions of the Constitution;

(4) "The Ecclesiastical Committee" means the Committee established as provided in section two of this Act;

(5) "Measure" means a legislative measure intended to receive the Royal Assent and to have effect as an Act of Parliament in accordance with the provisions of this Act.

Establishment of an Ecclesiastical Committee.

2.—(1) There shall be a Committee of members of both Houses of Parliament styled "The Ecclesiastical Committee."

(2) The Ecclesiastical Committee shall consist of fifteen members of the House of Lords, nominated by the Lord Chancellor and fifteen members of the House of Commons nominated by the Speaker of the House of Commons, to be appointed on the passing of this Act to serve for the duration of the present Parliament and thereafter to be appointed at the commencement of each Parliament to serve for the duration of that Parliament.

Any casual vacancy occurring by the reason of the death, resignation, or incapacity of a member of the Ecclesiastical Committee shall be filled by the nomination of a member by the Lord Chancellor or the Speaker of the House of Commons, as the case may be.

(3) The powers and duties of the Ecclesiastical Committee may be exercised and discharged by any twelve members thereof, and the Committee shall be entitled to sit and to transact business whether Parliament be sitting or not, and notwithstanding a vacancy in the membership of the Committee. Subject to the provisions of this Act, the Ecclesiastical Committee may regulate its own procedure.

Measures passed by Church Assembly to be submitted to Ecclesiastical Committee.

3.—(1) Every measure passed by the Church Assembly shall be submitted by the Legislative Committee to the Ecclesiastical Committee, together with such comments and explanations as the Legislative Committee may deem it expedient or be directed by the Church Assembly to add.

(2) The Ecclesiastical Committee shall thereupon consider the measure so submitted to it, and may, at any time during such consideration, either of its own motion or at the request of the Legislative Committee, invite the Legislative Committee to a conference to discuss the provisions thereof, and thereupon a conference of the two committees shall be held accordingly.

(3) After considering the measure, the Ecclesiastical Committee shall draft a report thereon to Parliament stating the nature and legal effect of the measure and its views as to the expediency thereof, especially with relation to the constitutional rights of all His Majesty's subjects.

(4) The Ecclesiastical Committee shall communicate its report in draft to the Legislative Committee, but shall not present it to Parliament until the Legislative Committee signify its desire that it should be so presented.

(5) At any time before the presentation of the report to Parliament the Legislative Committee may, either on its own motion or by direction of the Church Assembly, withdraw a measure from further consideration by the Ecclesiastical Committee; but the Legislative Committee shall have no power to vary a measure of the Church Assembly either before or after conference with the Ecclesiastical Committee.

(6) A measure may relate to any matter concerning the Church of England, and may extend to the amendment or repeal in whole or in part of any Act of Parliament, including this Act:

Provided that a measure shall not make any alteration in the composition or powers or duties of the Ecclesiastical Committee, or in the procedure in Parliament prescribed by section four of this Act.

(7) No proceedings of the Church Assembly in relation to a measure shall be invalidated by any vacancy in the membership of the Church Assembly or by any defect in the qualification or election of any member thereof.

Procedure on measures reported on by the Ecclesiastical Committee.

4. When the Ecclesiastical Committee shall have reported to Parliament on any measure submitted by the Legislative Committee, the report, together with the text of such measure, shall be laid before both Houses of Parliament forthwith, if Parliament be then sitting, or, if not, then immediately after the next meeting of Parliament, and thereupon, on a resolution being passed by each House of Parliament directing that such measure in the form laid before Parliament should be presented to His Majesty, such measure shall be presented to His Majesty, and shall have the force and effect of an Act of Parliament on the Royal Assent being signified thereto in the same manner as to Acts of Parliament:

Provided that, if upon a measure being laid before Parliament the Chairman of Committees of the House of Lords and the Chairman of Ways and Means in the House of Commons acting in consultation, shall be of opinion that the measure deals with two or more different subjects which might be more properly divided, they may, by joint agreement, divide the measure into two or more separate measures accordingly, and thereupon this section shall have effect as if each of the measures resulting from such division had been laid before Parliament as a separate measure.

Short title.

5. This Act may be cited as the Church of England Assembly (Powers) Act, 1919.

CHAPTER 77.

An Act to increase the rate of unemployment benefit payable under the National Insurance (Unemployment) Acts, 1911 to 1918, and to make certain consequential amendments in those Acts. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Increase of rate of unemployment benefit. 1 & 2 Geo. 5. c. 8.

1.—(1) The first paragraph of the Seventh Schedule to the National Insurance Act, 1911 (which makes provision with respect to the weekly rate of unemployment benefit), shall have effect as though "eleven shillings" were therein substituted for "seven shillings."

(2) The last paragraph of the Seventh Schedule to the National Insurance Act, 1911 (which limits the power to prescribe rates and periods of unemployment benefit), shall have effect as though "twelve shillings" were therein substituted for "eight shillings" and "ten shillings" were therein substituted for "six shillings."

Amendment of section 13 of 4 & 5 Geo. 5. c. 57.

2. Notwithstanding the increase in the rate of unemployment benefit effected by this Act, the expression "which is at "least one-third greater than the provision represented by "unemployment benefit under the principal Act" in subsection (1) of section thirteen of the National Insurance (Part II. Unemployment) Act, 1914 (which limits the power to make or continue arrangements with associations under section one hundred and five of the National Insurance Act, 1911), shall, during the period ending on the thirty-first day of December, nineteen hundred and twenty, be construed as meaning which exceeds the provision represented by unemployment benefit at the rate payable after the commencement of this Act by an amount which is not less than one-third of the provision represented by unemployment benefit at the rate payable before the commencement of this Act.

Amendment of section 14 of 4 & 5 Geo. 5. c. 57.

3. For the purpose of adapting the provisions of paragraphs (*b*) and (*c*) of subsection (1) of section fourteen of the National Insurance (Part II. Amendment) Act, 1914, to the increase in the rate of unemployment benefit effected by this Act the Minister of Labour may, with the consent of the Treasury, make regulations varying the provisions of those paragraphs in such manner as he thinks just.

Short title and commencement

4.—(1) This Act may be cited as the National Insurance (Unemployment) Act, 1919, and the National Insurance

(Unemployment) Acts, 1911 to 1918, and this Act may be cited together as the National Insurance (Unemployment) Acts, 1911 to 1919.

(2) This Act shall come into operation on the Thursday next after the day on which it is passed.

CHAPTER 78.

An Act to confirm certain terms in an Agreement between His Majesty's Government and the Irish Railway Companies. [23rd December 1919.]

34 & 35 Vict. c. 86.

WHEREAS in pursuance of section sixteen of the Regulation of the Forces Act, 1871, an agreement was made between His Majesty's Government and the Irish Railway Companies whose undertakings were placed under Government control by virtue of an Order in Council dated December 22nd, 1916, issued under the said section sixteen:

And whereas the said agreement contains amongst other provisions those set out in the Schedule to this Act, which provisions require confirmation by Parliament:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Confirmation of the terms of agreement.

1. The provisions of the above-recited agreement which are set out in the Schedule to this Act are hereby confirmed, and shall have full force and effect, as from the date of the said agreement, as if enacted in this Act, and any payments under the said agreement and before the passing of this Act which are inconsistent with the terms of the said provisions shall be adjusted so as to give effect to those terms.

Short title.

2. This Act may be cited as the Irish Railways (Confirmation of Agreement) Act, 1919.

Section 1.

SCHEDULE.

EXTRACTS FROM AGREEMENT BETWEEN HIS MAJESTY'S GOVERNMENT AND THE IRISH RAILWAY COMPANIES.

Local rating authorities guarantee of railway dividends, &c.

10. For the purpose of accounts which are prepared by Railway Companies in Ireland in connection with any guarantee of interest, dividend, or working expenses under statutory provisions, the net receipts for the two successive half years of account ended next before first

January, nineteen hundred and fourteen, shall be deemed to be the net receipts for the corresponding half years during the period of Government control. For the purpose of this clause a half year of account any portion of which is within the period of Government control shall be considered to be entirely within the said period.

It is agreed that His Majesty's Government shall give effect to this provision by Statute or otherwise, and in the event of His Majesty's Government failing to give effect to the provision hereinbefore referred to, the company concerned shall be entitled to include in their claim for compensation for each year of control the sum for which the guaranteeing authorities were liable in respect of the said two successive half-yearly periods ended next before first January, nineteen hundred and fourteen, and a proportionate part thereof for any period of control less than a year.

Compensation payable to worked lines

12. In the case of lines worked by companies at a percentage of receipts or otherwise, the sums paid to the owning companies for the year ended next before first January, nineteen hundred and fourteen, shall be deemed to be the sums payable to the owning companies under their working agreements during each year of Government control, and shall be accepted accordingly.

For the purpose of this provision a half year of account, any portion of which is within the period of Government control, shall be considered to be entirely within the said period.

CHAPTER 79.

An Act to amend the Trade Marks Act, 1905.

[23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

REGISTRATION OF CERTAIN TRADE MARKS NOT REGISTRABLE UNDER PRINCIPAL ACT.

Division of register of trade marks into two parts. 5 Edw. 7. c. 15.

1.—(1) The register of trade marks (including the Manchester Register) kept under the Trade Marks Act, 1905 (hereinafter referred to as the principal Act), shall be divided into two parts to be called respectively Part A. and Part B.

(2) Part A. of the register shall comprise all trade marks entered in the register of trade marks at the commencement of this Act and all trade marks which after the commencement of this Act may be registered under the provisions of the principal Act.

(3) Part B. shall comprise all trade marks registered under this Part of this Act, and all trade marks entered on or removed thereto under this Act.

Registration of trade marks in Part B.

2.—(1) Where any mark has for not less than two years been bonâ fide used in the United Kingdom upon or in connection with any goods (whether for sale in the United Kingdom or exportation abroad), for the purpose of indicating that they are the goods of the proprietor of the mark by virtue of manufacture, selection, certification, dealing with or offering for sale, the person claiming to be the proprietor of the mark may apply in writing to the registrar in the prescribed manner to have the mark entered as his registered trade mark in Part B. of the register in respect of such goods.

(2) The registrar shall consider every such application for registration of a trade mark in Part B. of the register, and if it appears to him, after such search, if any, as he may deem necessary, that the application is inconsistent with the provisions of section eleven or section nineteen of the principal Act, or if he is not satisfied that the mark has been so used as aforesaid, or that it is capable of distinguishing the goods of the applicant, he may refuse the application, or may accept it subject to conditions, amendments or modifications as to the goods or classes of goods in respect of which the mark is to be registered, or to such limitations, if any, as to mode or place of user or otherwise as he may think right to impose, and in any other case he shall accept the application.

(3) Every such application shall be accompanied by a statutory declaration verifying the user, including the date of first user, and such date shall be entered on the register.

(4) Any such refusal or conditional acceptance shall be subject to appeal to the court, and, if the ground for refusal is insufficiency of evidence as to user, such refusal shall be without prejudice to any application for registration of the trade mark under the provisions of the principal Act.

(5) Every such application shall, if accepted, be advertised in accordance with the provisions of the principal Act.

(6) A mark may be registered in Part B. notwithstanding any registration in Part A. by the same proprietor of the same mark or any part or parts thereof.

Application of certain provisions of principal Act to Part B. trade marks.

3. The provisions of the principal Act, as amended by this Act, with the exception of those set out in the First Schedule to this Act, shall, subject to the provisions of this Part of this Act, apply in respect of trade marks to which this Part of this Act applies as if they were herein re-enacted and in terms made applicable to this Part of this Act.

Effect of registration in Part B.

4. The registration of a person as the proprietor of a trade mark in Part B. of the register shall be primâ facie evidence that that person has the exclusive right to the use of that trade mark, but, in any action for infringement of a trade mark entered in Part B. of the register, no injunction, interdict or other relief shall be granted to the owner of the trade mark in respect of such registration, if the defendant establishes to the

satisfaction of the court that the user of which the plaintiff complains is not calculated to deceive or to lead to the belief that the goods the subject of such user were goods manufactured, selected, certified, dealt with or offered for sale by the proprietor of the trade mark.

Power to treat applications for registration in Part A. as applications for registration in Part B.

5. If any person applies for the registration of a trade mark under the principal Act in Part A. of the register, the registrar may, if the applicant is willing, instead of refusing the application, treat it as an application for registration in Part B. of the register under this Part of this Act and deal with the application accordingly.

PART II.

PROVISIONS FOR THE PREVENTION OF ABUSES OF TRADE MARKS.

Removal from register of word trade marks used as names of articles.

6.—(1) Where in the case of an article or substance manufactured under any patent in force at or granted after the passing of this Act, a word trade mark registered under the principal Act or Part I. of this Act is the name or only practicable name of the article or substance so manufactured, all rights to the exclusive use of such trade mark, whether under the common law or by registration (and notwithstanding the provisions of section forty-one of the principal Act), shall cease upon the expiration or determination of the patent, and thereafter such word shall not be deemed a distinctive mark, and may be removed by the court from the register on the application of any person aggrieved.

(2) No word which is the only practicable name or description of any single chemical element or single chemical compound, as distinguished from a mixture, shall be registered as a trade mark, and any such word now or hereafter on the register may, notwithstanding section forty-one of the principal Act, be removed by the court from the register on the application of any person aggrieved:

Provided that—

(*a*) the provisions of this subsection shall not apply where the mark is used to denote only the proprietor's brand or make of such substance, as distinguished from the substance as made by others, and in association with a suitable and practicable name open to the public use; and

(*b*) in the case of marks registered before the passing of this Act, no application under this section for the removal of the mark from the register shall be entertained until after the expiration of four years from the passing of this Act.

(3) The power to remove a trade mark from the register conferred by this section shall be in addition to and not in derogation of any other powers of the court in respect of the removal of trade marks from the register.

(4) The provisions contained in Part III. of this Act authorising applications for the rectification of the register to be made in the first instance to the registrar instead of to the court shall apply to applications under this section.

PART III.

GENERAL AMENDMENTS OF PRINCIPAL ACT.

Amendment of the law as to registrable trade marks.

7. In paragraph (5) of section nine of the principal Act (which defines the particulars which registrable trade marks must contain or consist of) for the words "except by order of "the Board of Trade or the court be deemed a distinctive "mark," there shall be substituted the words "be registrable "under the provisions of this paragraph, except upon evidence "of its distinctiveness."

Appeals.

8.—(1) All appeals from the decisions of the registrar under section fourteen of the principal Act shall be made to the court, and an appeal shall not lie from any such decision to the Board of Trade, and accordingly that section shall have effect, subject to the modifications set forth in the Second Schedule to this Act:

Provided that nothing in this subsection shall affect any appeal which may be pending at the commencement of this Act.

(2) In any appeal from the decision of the registrar to the court under the principal Act or this Act the court shall have and exercise the same discretionary powers as under the principal Act or this Act are conferred upon the registrar.

Rectification of register.

9.—(1) Any application for the rectification of the register or the removal of any trade mark from the register in respect of any goods which, under section thirty-five or section thirty-seven of the principal Act or under Part II. of this Act, is to be made to the court, may, at the option of the applicant, be made in the first instance to the registrar:

Provided that no such application shall be made otherwise than to the court where an action concerning the trade mark in question is pending.

(2) The registrar may, at any stage of the proceedings, refer any such application to the court or he may, after hearing the parties, determine the question between them, subject to appeal to the court.

(3) In any proceedings for the rectification of the register under this Act or under section thirty-five of the principal Act as amended by this section the court or the registrar shall, in

addition to the powers conferred by that section as so amended, have power to direct a trade mark entered in Part A. of the register to be removed to Part B. of the register.

Costs.

10. In all proceedings before the registrar under the principal Act or this Act the registrar shall have power to award to any party such costs as he may consider reasonable, and to direct how and by what parties they are to be paid, and any such order may be made a rule of court.

11. For section thirty-three of the principal Act, the following section shall be substituted :—

Registration of assignments.

"33.—(1) Where a person becomes entitled by assignment, transmission, or other operation of law to a registered trade mark, he shall make application to the registrar to register his title, and the registrar shall, on receipt of such application and on proof of title to his satisfaction, register him as the proprietor of the trade mark, and shall cause an entry to be made in the prescribed manner on the register of the assignment, transmission, or other instrument affecting the title. Any decision of the registrar under this section shall be subject to appeal to the court.

"(2) Except in cases of appeals under this section and applications made under section thirty-five of this Act, a document or instrument in respect of which no entry has been made in the register in accordance with the provisions of subsection (1) aforesaid shall not be admitted in evidence in any court in proof of the title to a trade mark unless the court otherwise directs."

Minor amendments of principal Act.

12. The amendments specified in the second column of the Second Schedule to this Act, which relate to minor details, shall be made in the provisions of the principal Act specified in the first column of that schedule.

Short title, construction, and commencement.

13.—(1) This Act may be cited as the Trade Marks Act, 1919, and the Trade Marks Acts, 1905 and 1914, and so much of the Patents and Designs Acts, 1907 to 1919, as relates to trade marks, and this Act may be cited together as the Trade Marks Acts, 1905 to 1919.

(2) This Act shall be construed as one with the principal Act and shall come into operation on the first day of April nineteen hundred and twenty.

SCHEDULES.

Section 3.

FIRST SCHEDULE.

PROVISIONS OF PRINCIPAL ACT NOT APPLIED.

No. of Section.	Subject-matter.
1 - - - -	Short title.
2 - - - -	Commencement of Act.
6 - - - -	Incorporation of existing register.
9 - - - -	Registrable trade marks.
12 - - - -	Application for registration.
14 (9) - - - -	Modification of trade mark on appeals.
15 - - - -	Disclaimers.
24 - - - -	Associated trade marks
25 - - - -	Combined trade marks.
27 - - - -	Assignment and user of associated trade marks.
31 - - - -	Status of unrenewed trade marks.
36 - - - -	Trade marks registered under previous Acts.
39 (except proviso) - -	Rights of proprietor of trade mark.
41 down to the words "against "the provisions of section "eleven of this Act."	Registration to be conclusive after seven years.
42 - - - -	Unregistered trade mark.
62 - - - -	Standardization, &c., trade marks.
73 - - - -	Repeal and saving for rules, &c.

Sections 8 and 12.

SECOND SCHEDULE.

MINOR AMENDMENTS OF PRINCIPAL ACT.

Section Amended.	Nature of Amendment.
Section 12 -	At the end of subsection (2) there shall be inserted the following words "or to such limitations, if any, as to "mode or place of user or otherwise as he may think "right to impose." In subsection (4), after the words "modifications, if any," shall be inserted the words "or to what limita-"tions, if any, as to mode or place of user or other-"wise."
Section 13 -	After the word "conditions" in both places where it occurs, there shall be inserted the words "and limitations." At the end of the section there shall be inserted the words "Provided that an application under the provi-"sions of subsection (5) of section nine of this Act may "be advertised by the Registrar on receipt of such "application and before acceptance."

Section Amended.	Nature of Amendment.
Section 14 -	In subsection (4), after the word "conditions" there shall be inserted the following words "or what limitations as "to mode or place of user or otherwise." In subsection (5) the words "or with the consent of the "parties to the Board of Trade" shall be repealed. In subsection (6) the words "the Board of Trade or" and "as the case may be" shall be repealed; and after the words "conditions, if any" there shall be inserted the words "or what limitations, if any, as to mode or place "of user or otherwise." Subsection (10) shall be repealed.
Section 16 -	After the words "the registrar shall" there shall be inserted the words "unless the mark has been accepted "in error or."
Section 21 -	After the word "court" there shall be inserted the words "or registrar" in each case. Delete the words "as it may think it right to impose" and insert "as the court or the registrar, as the case "may be, may think it right to impose."
Section 22 -	At the end of the section there shall be added the following words "and the assignment of such right to use "the same shall constitute the assignee a proprietor of "a separate trade mark for the purpose of section "twenty-one of this Act, subject to such conditions "and limitations as may be imposed under that "section."
Section 23 -	After the words "modifications, if any," there shall be inserted the words "and to such limitations, if any, as "to mode or place of user."
Section 24 -	After the words "registration of a trade mark" there shall be inserted the words "identical with or."
Section 34 -	After the word "terms" there shall be inserted the words "and subject to such limitations as to mode or place of "user."
Section 41 -	In the proviso, after the words "anterior to the user" there shall be inserted the words "or registration, "whichever is the earlier."
Section 43 -	For section forty-three the following section shall be substituted: "In any action or proceeding relating to a "trade mark or trade name the tribunal shall admit "evidence of the usages of the trade concerned and of "any relevant trade mark or trade name or get up "legitimately used by other persons."
Section 62 -	For the words "Where any association or person under-"takes the examination of any goods in respect of "origin, material, mode of manufacture, quality, accu-"racy or other characteristic, and certifies the result of "such examination by mark used upon or in connection "with such goods, the Board of Trade may, if they

Section Amended.	Nature of Amendment.
	" shall judge it to be to the public advantage, permit " such association or person to register such mark as a " trade mark in respect of such goods whether or not " such association or person be a trading association or " trader or possessed of a goodwill in connection with " such examination and certifying," there shall be substituted the words " Where any association or person " undertakes to certify the origin, material, mode of " manufacture, quality, accuracy or other characteristic " of any goods by mark used upon or in connection " with such goods, the Board of Trade, if and so long " as they are satisfied that such association or person is " competent to certify as aforesaid, may, if they shall " judge it to be to the public advantage, permit such " association or person to register such mark as a trade " mark in respect of such goods, whether or not such " association or person be a trading association or trader " or possessed of a goodwill in connection with such " certifying."
Section 64 -	Subsection (10 (*a*)) shall be repealed. In subsection (10 (*c*)) the word " word " shall be omitted.

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CHAPTER 80.

An Act to amend the Patents and Designs Acts.

[23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provisions for the prevention of abuse of monopoly rights.
7 Edw. 7. c. 29.

1. For section twenty-seven of the Patents and Designs Act, 1907 (hereinafter referred to as the principal Act), the following section shall be substituted:—

"27.—(1) Any person interested may at any time apply to the comptroller alleging in the case of any patent that there has been an abuse of the monopoly rights thereunder and asking for relief under this section.

(2) The monopoly rights under a patent shall be deemed to have been abused in any of the following circumstances:—

(*a*) If at any time after the expiration of four years from the date of the patent, the patented invention (being one capable of being worked in the United Kingdom), is not being worked within the United Kingdom on a commercial scale, and no satisfactory reason can be given for such non-working:

Provided that, if an application is presented to the comptroller on this ground, and the comptroller is of opinion that the time which has elapsed since the date of the patent has by reason of the nature of the invention or for any other cause been insufficient to enable the invention to be worked within the United Kingdom on a commercial scale, the comptroller may adjourn the application for such period as will in his opinion be sufficient for that purpose:

(*b*) If the working of the invention within the United Kingdom on a commercial scale is being prevented or hindered by the importation from abroad of the patented article by the patentee or persons claiming under him, or by persons directly or indirectly purchasing from him, or by other persons against whom the patentee is not taking or has not taken any proceedings for infringement:

(*c*) If the demand for the patented article in the United Kingdom is not being met to an adequate extent and on reasonable terms:

(*d*) If, by reason of the refusal of the patentee to grant a licence or licences upon reasonable terms, the trade or industry of the United Kingdom or the trade of any person or class of persons trading in the United Kingdom, or the establishment of any new trade or industry in the United Kingdom, is prejudiced, and it is in the public interest that a licence or licences should be granted:

(*e*) If any trade or industry in the United Kingdom, or any person or class of persons engaged therein, is unfairly prejudiced by the conditions attached by the patentee, whether before or after the passing of this Act, to the purchase, hire, licence, or use of the patented article, or to the using or working of the patented process:

Provided that, for the purpose of determining whether there has been any abuse of the monopoly rights under a patent, it shall be taken that patents for new inventions are granted not only to encourage invention but to secure that new inventions shall so far as possible be worked on a commercial scale in the United Kingdom without undue delay.

(3) On being satisfied that a case of abuse of the monopoly rights under a patent has been established, the comptroller may exercise any of the following powers as he may deem expedient in the circumstances:—

(*a*) He may order the patent to be indorsed with the words 'licences of right' and thereupon the same rules shall apply as are provided in this Act in respect of patents so indorsed, and an exercise by the comptroller of this power shall entitle every existing licensee to apply to the comptroller for an order entitling him

to surrender his licence in exchange for a licence to be settled by the comptroller in like manner as if the patent had been so indorsed at the request of the patentee, and the comptroller may make such order; and an order that a patent be so indorsed may be made notwithstanding that there may be an agreement subsisting which would have precluded the indorsement of the patent at the request of the patentee:

(*b*) He may order the grant to the applicant of a licence on such terms as the comptroller may think expedient, including a term precluding the licensee from importing into the United Kingdom any goods the importation of which, if made by persons other than the patentee or persons claiming under him, would be an infringement of the patent, and in such case the patentee and all licensees for the time being shall be deemed to have mutually covenanted against such importation. A licensee under this paragraph shall be entitled to call upon the patentee to take proceedings to prevent infringement of the patent, and if the patentee refuses, or neglects to do so within two months after being so called upon, the licensee may institute proceedings for infringement in his own name as though he were the patentee, making the patentee a defendant. A patentee so added as defendant shall not be liable for any costs unless he enters an appearance and takes part in the proceedings. Service on him may be effected by leaving the writ at his address for service given on the register:

In settling the terms of a licence under this paragraph the comptroller shall be guided as far as may be by the same considerations as are specified in section twenty-four of this Act for his guidance in settling licences under that section:

(*c*) If the comptroller is satisfied that the invention is not being worked on a commercial scale within the United Kingdom, and is such that it cannot be so worked without the expenditure of capital for the raising of which it will be necessary to rely on the patent monopoly, he may, unless the patentee or those claiming under him will undertake to find such capital, order the grant to the applicant, or any other person, or to the applicant and any other person or persons jointly, if able and willing to provide such capital, of an exclusive licence on such terms as the comptroller may think just, but subject as hereinafter provided:

(*d*) If the comptroller is satisfied that the objects of this section cannot be attained by the exercise of any of the foregoing powers, he may order the patent to be

revoked, either forthwith or after such reasonable interval as may be specified in the order, unless in the meantime such conditions as may be prescribed in the order with a view to attaining the objects of this section are fulfilled, and the comptroller may, on reasonable cause shown in any case, by subsequent order extend the interval so specified:

Provided that the comptroller shall make no order for revocation which is at variance with any treaty, convention, arrangement, or engagement with any foreign country or British possession:

(*e*) If the comptroller is of opinion that the objects of this section will be best attained by making no order under the above provisions of this section, he may make an order refusing the application and dispose of any question as to costs thereon as he thinks just.

(4) In settling the terms of any such exclusive licence as is provided in paragraph (*c*) of the last preceding subsection, due regard shall be had to the risks undertaken by the licensee in providing the capital and working the invention, but, subject thereto, the licence shall be so framed as—

(*a*) to secure to the patentee the maximum royalty compatible with the licensee working the invention within the United Kingdom on a commercial scale and at a reasonable profit;

(*b*) to guarantee to the patentee a minimum yearly sum by way of royalty, if and so far as it is reasonable so to do, having regard to the capital requisite for the proper working of the invention and all the circumstances of the case;

and, in addition to any other powers expressed in the licence or order, the licence and the order granting the licence shall be made revocable at the discretion of the comptroller if the licensee fails to expend the amount specified in the licence as being the amount which he is able and willing to provide for the purpose of working the invention on a commercial scale within the United Kingdom, or if he fails so to work the invention within the time specified in the order.

(5) In deciding to whom such an exclusive licence is to be granted the comptroller shall, unless good reason is shown to the contrary, prefer an existing licensee to a person having no registered interest in the patent.

(6) The order granting an exclusive licence under this section shall operate to take away from the patentee any right which he may have as patentee to work or use the invention and to revoke all existing licences, unless otherwise provided in the order, but on granting an exclusive licence the comptroller may, if he thinks it fair and equitable, make it a condition that the licensee shall give proper compensation to be fixed by the comptroller for any money or labour expended by the

patentee or any existing licensee in developing or exploiting the invention.

(7) Every application presented to the comptroller under this section must set out fully the nature of the applicant's interest and the facts upon which the applicant bases his case and the relief which he seeks. The application must be accompanied by statutory declarations verifying the applicant's interest and the facts set out in the application.

(8) The comptroller shall consider the matters alleged in the application and declarations, and, if satisfied that the applicant has a bonâ fide interest and that a primâ facie case for relief has been made out, he shall direct the applicant to serve copies of the application and declarations upon the patentee and upon any other persons appearing from the register to be interested in the patent, and shall advertise the application in the Illustrated Official Journal (Patents).

(9) If the patentee or any person is desirous of opposing the granting of any relief under this section, he shall, within such time as may be prescribed or within such extended time as the comptroller may on application further allow, deliver to the comptroller a counter statement verified by a statutory declaration fully setting out the grounds on which the application is to be opposed.

(10) The comptroller shall consider the counter statement and declarations in support thereof and may thereupon dismiss the application if satisfied that the allegations in the application have been adequately answered, unless any of the parties demands a hearing or unless the comptroller himself appoints a hearing. In any case the comptroller may require the attendance before him of any of the declarants to be cross-examined or further examined upon matters relevant to the issues raised in the application and counter statement, and he may, subject to due precautions against disclosure of information to rivals in trade, require the production before him of books and documents relating to the matter in issue.

(11) All orders of the comptroller under this section shall be subject to appeal to the Court, and on any such appeal the law officer or such other counsel as he may appoint shall be entitled to appear and be heard.

(12) In any case where the comptroller does not dismiss an application as hereinbefore provided, and

(*a*) if the parties interested consent, or

(*b*) if the proceedings require any prolonged examination of documents or any scientific or local investigation which cannot in the opinion of the comptroller conveniently be made before him;

the comptroller may at any time order the whole proceedings or any question or issue of fact arising thereunder to be referred to an arbitrator agreed on by the parties, or in default of agreement appointed by the comptroller, and, where the whole

proceedings are so referred, the award of such arbitrator shall, if all the parties consent, be final, but otherwise shall be subject to the same appeal as the decision of the comptroller under this section, and, where a question or issue of fact is so referred, the arbitrator shall report his findings to the comptroller.

(13) For the purposes of this section, the expression 'patented article' includes articles made by a patented process."

Provision as to patents indorsed "licences of right."

2. For section twenty-four of the principal Act, the following section shall be substituted:—

"24.—(1) At any time after the sealing of a patent the comptroller shall, if the patentee so requests, cause the patent to be indorsed with the words 'licences of right,' and a corresponding entry to be made in the register, and thereupon—

(*a*) any person shall at any time thereafter be entitled as of right to a licence under the patent upon such terms as, in default of agreement, may be settled by the comptroller on the application of either the patentee or the applicant:

Provided that any licence the terms of which are settled by agreement shall be deemed, unless otherwise expressly provided, to include the terms and conditions specified in paragraphs (*c*) and (*d*) of this subsection as if they had been imposed by the comptroller thereunder in like manner as if the terms had been settled by the comptroller:

(*b*) in settling the terms of any such licence the comptroller shall be guided by the following considerations—

(i) he shall, on the one hand, endeavour to secure the widest possible user of the invention in the United Kingdom consistent with the patentee deriving a reasonable advantage from his patent rights;

(ii) he shall, on the other hand, endeavour to secure to the patentee the maximum advantage consistent with the invention being worked by the licensee at a reasonable profit in the United Kingdom;

(iii) he shall also endeavour to secure equality of advantage among the several licensees, and for this purpose may, on due cause being shown, reduce the royalties or other payments accruing to the patentee under any licence previously granted:

Provided that, in considering the question of equality of advantage, the comptroller shall take into account any work done or outlay incurred by any previous licensee with a view to testing the commercial value of the invention or to securing the

working thereof on a commercial scale in the United Kingdom:

(*c*) any such licence the terms of which are settled by the comptroller may be so framed as to preclude the licensee from importing into the United Kingdom any goods the importation of which, if made by persons other than the patentee or those claiming under him, would be an infringement of the patent, and in such a case the patentee and all licensees under the patent shall be deemed to have mutually covenanted against such importation:

(*d*) every such licensee shall be entitled to call upon a patentee to take proceedings to prevent the infringement of the patent, and if the patentee refuses, or neglects to do so within two months after being so called upon, the licensee may institute proceedings for the infringement in his own name as though he were patentee, making the patentee a defendant. A patentee so added as defendant shall not be liable for any costs unless he enters an appearance and takes part in the proceedings. Service on him may be effected by leaving the writ at his address for service given on the register:

(*e*) if in any action for infringement of a patent so indorsed the infringing defendant is ready and willing to take a licence upon terms to be settled by the comptroller, no injunction against him shall be awarded, and the amount recoverable against him by way of damages (if any) shall not exceed double the amount which would have been recoverable against him as licensee if the licence had been dated prior to the earliest infringement:

Provided that this paragraph shall not apply where the infringement consists of the importation of infringing goods:

(*f*) the renewal fees payable by the patentee of a patent so indorsed shall, as from the date of the indorsement, be one moiety only of the fees which would otherwise have been payable.

(2) The comptroller shall, before acting on any request to indorse a patent made by the patentee under this section, advertise such request in the Illustrated Official Journal (Patents), and shall satisfy himself that the patentee is not precluded by contract from making such request, and for that purpose shall require from the patentee such evidence, by statutory declaration or otherwise, as he may deem necessary:

Provided that a patentee shall not be deemed to be so precluded by reason only of his having granted a licence under the patent where the licence does not limit his right to grant other licences.

(3) Any person, alleging that a request under this section has been made contrary to some contract in which he is interested, may apply to the comptroller within the prescribed time and in the prescribed manner, and the comptroller, if satisfied of the truth of such allegation, shall refuse to indorse the patent pursuant to the request or shall cause the indorsement, if already made, to be cancelled.

Any order under this subsection shall be subject to appeal to the court.

(4) All indorsements of patents under this section shall be entered on the register of patents and shall be published in the Illustrated Official Journal (Patents), and in such other manner as to the comptroller may seem desirable for the purpose of bringing the invention to the notice of manufacturers.

(5) If at any time it appears that in the case of a patent so indorsed there is no existing licence the comptroller may, if he thinks fit, on the application of the patentee and on payment by him of the unpaid moiety of all renewal fees which have become due since the indorsement, after due notice cancel the indorsement, and in that case the patentee's rights and liabilities shall be the same as if no such indorsement had been made."

Enforcement of order for grant of licence.

3. After section twenty-seven of the principal Act, the following section shall be inserted:—

"27A. Any order for the grant of a licence under this Act shall, without prejudice to any other method of enforcement, operate as if it were embodied in a deed granting a licence executed by the patentee and all other necessary parties."

Amendment of s. 11 of principal Act as to opposition to grant of patent.

4. For paragraph (*b*) of subsection (1) of section eleven of the principal Act, which relates to the opposition to grants of patents, the following paragraphs shall be substituted—

"(*b*) that the invention has been published in any complete specification, or in any provisional specification followed by a complete specification, deposited pursuant to any application made in the United Kingdom within fifty years next before the date of the application for the patent the grant of which is being opposed, or has been made available to the public by publication in any document (other than a British specification) published in the United Kingdom prior to the application; or

(*bb*) that the invention has been claimed in any complete specification for a British patent which though not published at the date of the application for a patent the grant of which is opposed was deposited pursuant to an application for a patent which is or will be of prior date to such patent; or"

and after paragraph (*d*) of the same subsection the following paragraph shall be inserted—

"or (*e*) that in the case of an application under section ninety-one of this Act the specification describes or claims an invention other than that for which protection has been applied for in a foreign state or British possession and that such other invention forms the subject of an application made by the opponent in the interval between the leaving of the application in the foreign state or British possession and the leaving of the application in the United Kingdom."

Amendment of s. 12 of principal Act as to grant and sealing of patents.

5. At the end of subsection (1) of section twelve of the principal Act, which relates to the grant and sealing of patents, the following proviso shall be added—

"Provided that where—

"(*a*) an applicant has agreed in writing to assign a patent when granted to another party or a joint applicant and refuses to proceed with the application; or

(*b*) disputes arise between joint applicants as to proceeding with an application;

the comptroller on proof of such agreement to his satisfaction, or if satisfied that one or more of such joint applicants ought to be allowed to proceed alone, may allow such other party or joint applicant to proceed with the application, and may grant a patent to him, so however that all parties interested shall be entitled to be heard before the comptroller, and an appeal shall lie from the decision of the comptroller under this proviso to the law officer."

Term of patent.

6.—(1) The term limiting the duration of patents shall be increased from fourteen to sixteen years, and accordingly in subsection (1) of section seventeen of the principal Act, for the word "fourteen" there shall be substituted the word "sixteen."

(2) Any patent the original term of which had not expired at the date of the commencement of this Act shall have effect as if the term mentioned therein was sixteen years instead of fourteen years, subject to the following conditions:—

(*a*) any licence existing at that date which has been granted for the term of the patent shall be treated as having been granted for the term as so extended if the licensee so desires;

(*b*) if the patent would, apart from this section, have expired on or before the first day of January nineteen hundred and twenty, the patent shall, during the period of extension, be subject to all the provisions by this Act substituted for section twenty-four of the principal Act (except subsection (5) thereof) as if the patent had been endorsed "licences of right."

(3) Where any party to a contract with the patentee or any other person, entered into before the nineteenth day of November nineteen hundred and seventeen, is subjected to loss or liability by reason of the extension of the term of any patent under the provisions of this section, the court shall have power to determine in what manner and by which parties such loss or liability shall be borne.

Amendment of s. 18 of principal Act as to extension of term of patent.

7.—(1) At the end of subsection (1) of section eighteen of the principal Act which relates to the extension of the term of a patent, the following proviso shall be inserted:—

"Provided that the court may in its discretion extend such period within which such a petition may be presented."

(2) In subsection (5) of the same section, for the words "for "a further term not exceeding seven years, or, in exceptional "cases, fourteen years," there shall be substituted the words "for a further term not exceeding five years, or, in exceptional "cases, ten years."

(3) At the end of the same section, the following subsection shall be added:—

"(6) Where, by reason of hostilities between His Majesty and any foreign state, the patentee as such has suffered loss or damage (including loss of opportunity of dealing in or developing his invention owing to his having been engaged in work of national importance connected with such hostilities) an application under this section may be made by originating summons instead of by petition, and the court in considering its decision may have regard solely to the loss or damage so suffered by the patentee:

Provided that this subsection shall not apply if the patentee is a subject of such foreign state as aforesaid, or is a company the business whereof is managed or controlled by such subjects or is carried on wholly or mainly for the benefit or on behalf of such subjects, notwithstanding that the company may be registered within His Majesty's Dominions."

Right of Crown to use patented inventions.

8. For section twenty-nine of the principal Act, the following section shall be substituted:—

"29.—(1) A patent shall have to all intents the like effect as against His Majesty the King as it has against a subject:

"Provided that any Government department may, by themselves or by such of their agents, contractors, or others as may be authorised in writing by them at any time after the application, make, use or exercise the invention for the services of the Crown on such terms as may, either before or after the use thereof, be agreed on, with the approval of the Treasury, between the Department and the patentee, or, in default of

agreement, as may be settled in the manner hereinafter provided. And the terms of any agreement or licence concluded between the inventor or patentee and any person other than a Government department, shall be inoperative so far as concerns the making, use or exercise of the invention for the service of the Crown:

"Provided further that, where an invention which is the subject of any patent has, before the date of the patent, been duly recorded in a document by, or tried by or on behalf of, any Government department, (such invention not having been communicated directly or indirectly by the applicant for the patent or the patentee), any Government department, or such of their agents, contractors, or others, as may be authorised in writing by them, may make, use and exercise the invention so recorded or tried for the service of the Crown, free of any royalty or other payment to the patentee, notwithstanding the existence of the patent. If in the opinion of the department the disclosure to the applicant or the patentee, as the case may be, of the document recording the invention, or the evidence of the trial thereof, if required, would be detrimental to the public interest, it may be made confidentially to counsel on behalf of the applicant or patentee, or to any independent expert mutually agreed upon.

"(2) In case of any dispute as to the making, use or exercise of an invention under this section, or the terms therefor, or as to the existence or scope of any record or trial as aforesaid, the matter shall be referred to the court for decision, who shall have power to refer the whole matter or any question or issue of fact arising thereon to be tried before a special or official referee or an arbitrator upon such terms as it may direct. The court, referee, or arbitrator, as the case may be, may, with the consent of the parties, take into consideration the validity of the patent for the purposes only of the reference and for the determination of the issues between the applicant and such Government department. The court, referee, or arbitrator, further in settling the terms as aforesaid, shall be entitled to take into consideration any benefit or compensation which the patentee, or any other person interested in the patent, may have received directly or indirectly from the Crown or from any Government department in respect of such patent.

"(3) The right to use an invention for the services of the Crown under the provisions of this section or any provisions for which this section is substituted shall include, and shall be deemed always to have included, the power to sell any articles made in pursuance of such right which are no longer required for the services of the Crown.

"(4) Nothing in this section shall affect the right of the Crown or of any person deriving title directly or indirectly from the Crown to sell or use any articles forfeited under the laws relating to the customs or excise."

Power of court to grant relief in respect of particular claims.

9. After section thirty-two of the principal Act the following section shall be inserted :—

"32A. Notwithstanding anything to the contrary appearing in section twenty-three of this Act, if the court in any action for infringement of a patent finds that any one or more of the claims in the specification, in respect of which infringement is alleged, are valid, it shall, subject to its discretion as to costs and as to the date from which damages should be reckoned, and to such terms as to amendment as it may deem desirable, grant relief in respect of any of such claims which are infringed without regard to the invalidity of any other claim in the specification. In exercising such discretion, the court may take into consideration the conduct of the parties in inserting such invalid claims in the specification or permitting them to remain there."

Amendment of s. 34 of principal Act as to actions for infringement.

10. In section thirty-four of the principal Act, which relates to actions for infringement of a patent, after the words, "infringement of a patent" there shall be inserted the words "the plaintiff shall be entitled to relief by way of injunction and "damages but not to an account of profits, but subject as "aforesaid."

Chemical products and substances intended for food or medicine.

11.—(1) After section thirty-eight of the principal Act, the following section shall be inserted :—

"38A.—(1) In the case of inventions relating to substances prepared or produced by chemical processes or intended for food or medicine, the specification shall not include claims for the substance itself, except when prepared or produced by the special methods or processes of manufacture described and claimed or by their obvious chemical equivalents: Provided that, in an action for infringement of a patent where the invention relates to the production of a new substance, any substance of the same chemical composition and constitution shall in the absence of proof to the contrary be deemed to have been produced by the patented process.

(2) In the case of any patent for an invention intended for or capable of being used for the preparation or production of food or medicine, the comptroller shall, unless he sees good reason to the contrary, grant to any person applying for the same, a licence limited to the use of the invention for the purposes of the preparation or production of food or medicine but not otherwise; and, in settling the terms of such licence and fixing the amount of royalty or other consideration payable, the comptroller shall have regard to the desirability of making the food or medicine available to the public at the lowest possible price consistent with giving to the inventor due reward for the research leading to the invention.

Any decision of the comptroller under this subsection shall be subject to appeal to the court."

(2) This section shall apply only to patents applied for after the passing of this Act.

Costs and security for costs.

12. Section thirty-nine of the principal Act, which relates to costs and security for costs, shall be repealed, and in lieu thereof the following section shall be inserted after section seventy-three :—

"73A.—(1) The comptroller shall, in any proceedings before him under this Act, have power by order to award to any party such costs as he may consider reasonable, and to direct how and by what parties they are to be paid, and any such order may be made a rule of court.

(2) If any party giving notice of any opposition under this Act, or applying to the comptroller for the revocation of a patent, or giving notice of appeal from any decision of the comptroller under this Act, neither resides nor carries on business in the United Kingdom or the Isle of Man, the comptroller, or in case of appeal to the law officer or the court, the law officer or the court may require such party to give security for the costs of the proceedings or appeal, and in default of such security being given may proceed to treat the proceedings or appeal as abandoned."

Amendment of s. 41 (2) of principal Act as to anticipation.

13.—(1) At the end of subsection (2) of section forty-one of the principal Act, the following proviso shall be added :—

"Provided that the protection afforded by this subsection shall not extend to a patentee who has commercially worked his invention in the United Kingdom otherwise than for the purpose of reasonable trial of the invention prior to the application for the patent."

(2) This section shall not apply in the case of patents granted before the passing of this Act.

Cancellation of registration of designs.

14. For section fifty-eight of the principal Act, which relates to the cancellation of the registration of designs, the following section shall be substituted :—

"58.—(1) At any time after the registration of a design any person interested may apply to the comptroller for the cancellation of the registration of the design, on either of the following grounds :—

(*a*) That the design has been published in the United Kingdom prior to the date of registration :

(*b*) That the design is applied by manufacture to any article in a foreign country, and is not so applied by manufacture in the United Kingdom to such an extent as is reasonable in the circumstances of the case :

Provided that, if the application be on the last-mentioned ground, and the comptroller is satisfied that the time which has elapsed from the date of registration has been insufficient for such application by manufacture in the United Kingdom, the comptroller may adjourn the application for such time as he may deem sufficient for that purpose; and that in lieu of cancellation the comptroller may order the grant of a compulsory licence on such terms as he may consider just.

(2) An appeal shall lie from any order of the comptroller under this section to the court, and the comptroller may at any time refer any such application to the court for trial."

Registration of designs to bind the Crown.

15. After section fifty-eight of the principal Act, the following section shall be inserted:—

"58A. The registration of a design shall have to all intents the like effect as against His Majesty the King as it has against a subject:

"Provided that the provisions of section twenty-nine of this Act shall apply to registered designs as though those provisions were herein re-enacted and in terms made applicable to registered designs."

Registration of assignments, &c.

16. For section seventy-one of the principal Act the following section shall be substituted:—

71.—(1) Where a person becomes entitled by assignment, transmission, or other operation of law to a patent or to the copyright in a registered design, he shall make application to the comptroller to register his title, and the comptroller shall, on receipt of such application and on proof of title to his satisfaction, register him as the proprietor of such patent or design and shall cause an entry to be made in the prescribed manner on the register of the assignment, transmission, or other instrument affecting the title.

(2) Where any person becomes entitled as mortgagee, licensee, or otherwise to any interest in a patent or design, he shall make application to the comptroller to register his title, and the comptroller shall, on receipt of such application and on proof of title to his satisfaction, cause notice of the interest to be entered in the prescribed manner in the register of patents or designs, as the case may be, with particulars of the instrument, if any, creating such interest.

(3) The person registered as the proprietor of a patent or design shall, subject to the provisions of the Act and to any rights appearing from the register to be vested in any other person, have power absolutely to assign, grant licences as to or otherwise deal with the patent or design, and to give effectual receipts for any consideration for any such assignment, licence or dealing:

Provided that any equities in respect of the patent or design may be enforced in like manner as in respect of any other personal property.

(4) Except in applications made under section seventy-two of this Act, a document or instrument in respect of which no entry has been made in the register in accordance with the provisions of subsections (1) and (2) aforesaid, shall not be admitted in evidence in any court in proof of the title to a patent or copyright in a design or to any interest therein unless the court otherwise directs.

Amendment of s. 75 of principal Act as to refusal to grant patents, &c.

17. At the end of section seventy-five of the principal Act, which relates to the powers of the comptroller to refuse to grant patents and to register designs, there shall be inserted the following words, "an appeal shall lie from the decision of the "comptroller under this section to the law officer."

Registration of patent agents.

18. For section eighty-four of the principal Act, which relates to the registration of patent agents, the following section shall be substituted:—

"84.—(1) No person shall practise, describe himself, or hold himself out, or permit himself to be described or held out, as a patent agent, unless—

(*a*) in the case of an individual, he is registered as a patent agent in the register of patent agents;

(*b*) in the case of a firm, every partner of the firm is so registered;

(*c*) in the case of a company which commenced to carry on business as a patent agent after the seventeenth day of November nineteen hundred and seventeen, every director and the manager (if any) of the company is so registered;

(*d*) in the case of a company which commenced to carry on business as a patent agent before that date, a manager or a director of the company is so registered:

Provided that in the last-mentioned case the name of such manager or director shall be mentioned as being a registered patent agent in all professional advertisements, circulars or letters in which the name of the company appears.

(2) Every individual not registered as a patent agent before the fifteenth day of July nineteen hundred and nineteen who proves to the satisfaction of the Board of Trade that prior to the first day of August nineteen hundred and seventeen he was bonâ fide practising as a patent agent, whether individually or as member of a firm, or as a manager or director of an incorporated company, shall be entitled to be registered as a patent agent if he makes an application for the purpose within such time as may be fixed by the Board of Trade, unless after giving an applicant an opportunity of being heard the Board of Trade are satisfied that he has whilst so practising been guilty of such misconduct as would have rendered him liable, if his name had been on the register of patent agents, to have his name erased therefrom.

(3) If any person contravenes the provisions of this section, he shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding twenty pounds, and in the case of a company every director, manager, secretary, or other officer of the company who is knowingly a party to the contravention shall be guilty of a like offence and liable to a like fine.

(4) For the purposes of this section, the expression "patent agent" means a person, firm, or company carrying on for gain in the United Kingdom the business of applying for or obtaining patents in the United Kingdom or elsewhere.

(5) Nothing in this section shall be taken to prohibit solicitors from taking such part as they have heretofore taken in any proceedings under this Act.

(6) No person not registered before the fifteenth day of July nineteen hundred and nineteen shall be registered as a patent agent unless he be a British subject."

Definitions.

19. In section ninety-three of the principal Act, for the definitions of "patentee" and "design" the following definitions shall respectively be substituted—

"Patentee" means the person for the time being entered on the register as the grantee or proprietor of the patent;

"Design" means only the features of shape, configuration, pattern, or ornament applied to any article by any industrial process or means, whether manual, mechanical, or chemical, separate or combined, which in the finished article appeal to and are judged solely by the eye; but does not include any mode or principle of construction, or anything which is in substance a mere mechanical device."

In the same section the following definition shall be inserted:

"Working on a commercial scale" means the manufacture of the article or the carrying on of the process described and claimed in a specification for a patent in or by means of a definite and substantial establishment or organisation, and on a scale which is adequate and reasonable under all the circumstances.

Minor amendments of principal Act.

20. The amendments specified in the second column of the Schedule to this Act, which relate to minor details, shall be made in the provisions of the principal Act specified in the first column of that schedule.

Construction printing, and repeal.

21.—(1) This Act shall, except where otherwise expressly provided, apply to patents granted and applications for and specifications relating to patents made and deposited, and designs registered, before as well as after the passing of this Act.

(2) Where by this Act any enactments or words are directed to be added to or omitted from the principal Act, or to be substituted for any other enactments or words in the principal Act, copies of the principal Act printed under the authority of His Majesty's Stationery Office after such direction takes effect may be printed with the enactments or words added or omitted, or substituted for other enactments or words as such direction requires, and with the sections, subsections, and paragraphs thereof numbered in accordance with such directions; and the principal Act shall be construed as if it had at the time at which such direction takes effect been made with such addition, omission, or substitution.

(3) A reference in any Act of Parliament or other instrument to the principal Act shall, unless the context otherwise requires, be construed to refer to the principal Act as amended by this Act.

(4) The Patents and Designs Act, 1908, is hereby repealed.

Short title and commencement.

22.—(1) This Act may be cited as the Patents and Designs Act, 1919, and the principal Act and this Act may be cited together as the Patents and Designs Acts, 1907 and 1919.

(2) The provisions by sections one and two of this Act substituted for sections twenty-seven and twenty-four of the principal Act shall not come into operation until such time, not being later than one year after the passing of this Act, as may be fixed by order of the Board of Trade, except so far as the provisions so substituted for the said section twenty-four are by subsection (2) of section six of this Act applied to the patents therein mentioned; and the provisions of this Act relating to the terms on which an invention or registered design can be made, used or exercised by or on behalf of a Government department shall not come into operation until such time as may be fixed by order of the Board of Trade; save as aforesaid this Act shall come into operation on the passing thereof.

Section 20.

SCHEDULE.

MINOR AMENDMENTS OF PRINCIPAL ACT.

Section Amended.	Nature of Amendment.
Section 5	In subsection (1) for the word "six" there shall be substituted the word "nine."
Section 6	In the proviso to subsection (3) for the words "treat the "claim" there shall be substituted the words "allow "an application"; and after the words "included in "the complete specification" there shall be inserted the words "to be made and treated."

Section Amended.	Nature of Amendment.
	In subsection (4) for the words "A refusal of the "comptroller to accept a complete specification shall "be subject to appeal" there shall be substituted the words "An appeal shall lie from the decision of the "comptroller under this section." In subsection (5) for the word "twelve" there shall be substituted the word "fifteen."
Section 7 -	In subsection (4) the words "after hearing the applicant "and" shall be omitted. Subsection (6) shall be omitted.
Section 8 -	For subsection (1) the following subsection shall be substituted :— "(1) In addition to the investigation under the last preceding section, the examiner shall make an investigation for the purpose of ascertaining whether the invention claimed has been wholly or in part claimed in any specification published on or after the date of the application and deposited pursuant to a prior application. For the words in subsection (2) down to and including "deposited pursuant to a prior application" there shall be substituted the words "Where on such further "investigation it appears that the invention claimed "has been wholly or in part claimed in any such "specification." Subsection (4) shall be omitted and after subsection (3) the following subsections shall be inserted— "(4) An appeal shall lie from the decision of the comptroller under this section to the law officer. "(5) The investigations and reports required by this and the last preceding section shall not be held in any way to guarantee the validity of any patent and no liability shall be incurred by the Board of Trade or any officer thereof by reason of or in connection with any such investigation or report or any proceedings consequent thereon."
Section 12 -	In subsection (2) for the word "fifteen" in both places where it occurs there shall be substituted the word "eighteen." In paragraph (*b*) of the same subsection, after the words "as the law officer" there shall be inserted the words "or the comptroller as the case may be." In paragraph (*d*) of the same subsection for the words "in consequence of the neglect or failure of the "applicant to pay any fee" there shall be substituted the words "for any reason."
Section 13 -	For the word "publication" there shall be substituted the word "acceptance."
Section 15 -	In subsection (2) for the words "on the ground of fraud" there shall be substituted the words "by the court on "the ground that it has been obtained in fraud of the "true and first inventor or where the grant has been

Section Amended.	Nature of Amendment.
	" refused by the comptroller under the provisions of " paragraph (*a*) of subsection (1) of section eleven of " this Act or revoked on the same ground under the " provisions of section twenty-six of this Act."
	In the same subsection after the words "grant to him " a patent" there shall be inserted the words "for " the whole or any part of the invention," and after the words "patent so revoked" there shall be inserted the words "or as would have been borne by the patent " if the grant thereof had not been refused."
Section 16 -	In subsection (2) for the words "and for the purpose of " the provisions of this Act with respect to oppositions " to the grant of patents" there shall be substituted the words "and in determining other questions under " this Act."
Section 19 -	At the end of subsection (3) the following proviso shall be inserted:— "Provided that, if the patent for the original invention is revoked, then the patent of addition shall, if the court or comptroller so orders, become an independent patent, and the fees payable, and the dates when they become payable shall be determined by its date, but its duration shall not exceed the unexpired term of the patent for the original invention."
Section 20 -	In subsection (5) the words "subject to an appeal to the " court" shall be omitted, and after that subsection there shall be inserted the following subsection:— "(6) An appeal shall lie from the decision of the comptroller under this section to the court."
Section 21 -	At the end of subsection (7) the following proviso shall be inserted:— " Provided that the court shall be entitled in construing a specification as amended to refer to the specification as accepted and published."
Section 22 -	After the words "by way of disclaimer" there shall be inserted the words "correction or explanation."
Section 23 -	For the words "before the disclaimer correction or " explanation," there shall be substituted the words "before the date of the decision allowing the amend- " ment."
Section 25 -	In subsection (2) at the end of paragraph (*a*) the word "or" and paragraph (*b*) shall be omitted.
Section 26 -	In subsection (1) the words "in the prescribed manner" shall be omitted.
Section 31 -	In subsection (1) for the word "either" there shall be substituted the word "all."

Section Amended.	Nature of Amendment.
Section 34 -	For the words "inspection or account" there shall be substituted the words "or inspection."
Section 35 -	For the words "validity of the patent" there shall be substituted the words "validity of any claim in the "specification of the patent."
	After the words "subsequent action for infringement" there shall be inserted the words "of such claim" and after the words "solicitor and client" there shall be inserted the words "so far as that claim is concerned."
Section 36 -	For the words "to be the patentee of an invention" there shall be substituted the words "to have an interest in "a patent."
	For the words "any legal rights of the person making "such threats" there shall be substituted the words "the patent."
	For the proviso there shall be substituted the following proviso:— "Provided that this section shall not apply if an action for infringement of the patent is commenced and prosecuted with due diligence."
Section 38 -	After subsection (1) there shall be inserted the following paragraph:— "In any action, application, or proceedings under this Act no person shall be estopped from applying for or obtaining relief by reason of any admission made by him as to the reasonableness of the terms offered to him under subsection (1) (i)."
Section 45 (1) -	After the word "inventor" where it first occurs, there shall be inserted the words "or the reading of a paper "by an inventor before a learned society or the publi- "cation of the paper in the society's transactions."
	In proviso (*a*) after the word "invention" there shall be inserted the words "or the person reading such paper "or permitting such publication."
	At the end of proviso (*b*) there shall be inserted the words "or the reading or publication of such paper."
Section 49 (3) -	For the words "Board of Trade" and "Board" respectively, there shall be substituted the word "Court" and after the words "any such refusal may" there shall be inserted the words "except where the "refusal is given on a ground mentioned in section "seventy-five of this Act."
Section 50 -	In paragraph (*a*) for the words "new and original" there shall be substituted the words "new or original" and at the end of the section there shall be inserted the following proviso:— "Provided that such subsequent registration shall not extend the period of copyright in the design beyond that arising from the previous registration."
Section 68 -	At the end of the section there shall be inserted the following proviso:— "Provided that, on application being made by any person in the prescribed form, the comptroller may disclose the result of a search made under section seven or eight of this Act on any particular application for the grant of a patent."

Section Amended.	Nature of Amendment.
Section 77 -	In subsection (2) after the words "on oath" there shall be inserted the words "and discovery and production of "documents."
Section 91 -	In subsection (5) for the word "and" there shall be substituted the word "or."
Section 92 -	In subsection (2) after the words "the appeal shall" there shall be inserted the words "except in the case of a "petition for the revocation of a patent under section "twenty-five of this Act, and"; and for the words "and "the decision of that judge" to the end of the subsection there shall be substituted the words "an appeal shall "not lie from any decision of such judge except in the "case of an order revoking or confirming the revocation "of a patent."
Section 93 -	For the words "Proprietor of a new and original design" there shall be substituted the words "Proprietor of a "new or original design."
Section 94 -	For subsection (5) the following subsection shall be substituted— "(5) Notwithstanding anything in this Act, the expression 'the Court' shall in reference to proceedings in Scotland for the extension of the term of a patent mean any Lord Ordinary of the Court of Session."

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CHAPTER 81.

An Act to amend the Dogs Regulation (Ireland) Act, 1865. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Increase of dogs' licence duty.
28 & 29 Vict. c. 50.

1.—(1) The licence duty payable for a dog licence under the Dogs Regulation (Ireland) Act, 1865 (in this Act referred to as the "principal Act"), shall be at the rate of four shillings instead of two shillings for each dog.

(2) This section shall apply to all dog licences taken out for the licensing year ending on the thirty-first day of March nineteen hundred and twenty-one, or for any subsequent licensing year.

Amendment of ss. 6 and 20 of principal Act as to the taking out and duration of licences.

2.—(1) A licence for a dog for any licensing year may be taken out within three months before the commencement of such year or at any time during such year, but, if it is taken out during such year, it shall not affect any liability already incurred by any person for having the dog in his possession or custody without a licence.

(2) Every licence shall expire at the end of the licensing year for which it is taken out, whether it is taken out before or after the commencement of such year.

(3) A licence shall not be required for any dog whilst it is under the age of one month.

(4) In section six of the principal Act the words "on or " before the thirty-first day of March in each year" and the words from "which shall" to "date of such licence," and in section twenty of the principal Act the words "from and after " the thirty-first day of March in each year," shall be repealed.

Regulations.

3. The Lord Lieutenant may make regulations for prescribing anything requiring to be prescribed for the purposes of this Act and for making such adaptations of the forms in the schedules to the principal Act as may be necessary, and generally for carrying the principal Act and this Act into effect.

Salaries of petty sessions clerks, &c. 44 & 45 Vict. c. 18.

4. The power of the Lord Lieutenant to fix the amount of the salaries to be paid to petty sessions clerks, as defined in the Petty Sessions Clerks (Ireland) Act, 1881, shall include power to grant increases of salaries, to take effect for such time and to be reckoned for superannuation purposes in such circumstances and to such extent only as may be directed by the Lord Lieutenant, notwithstanding anything to the contrary in section one or section five of the said Act.

Interpretation, construction and citation.

5.—(1) In this Act the expression "licensing year" means the twelve months ending the thirty-first day of March.

(2) This Act may be cited as the Dogs Regulation (Ireland) Act, 1919, and the principal Act and this Act shall be construed together and may be cited together as the Dogs Regulation (Ireland) Acts, 1865 and 1919.

CHAPTER 82.

An Act to facilitate the provision of land in Ireland for men who have served in the Naval, Military, or Air Forces of the Crown in the present war, and for other purposes incidental thereto. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision of holdings for sailors and soldiers under the Land Purchase Acts.

1.—(1) Advances under the Land Purchase Acts for the purchase of parcels of estates or untenanted land vested in the Land Commission may be made to any men who have served in any of His Majesty's naval, military, or air forces in the present war, and who satisfy the Estates Commissioners as to

their fitness and suitability, in like manner as if they were tenants or proprietors of holdings not exceeding ten pounds in rateable value.

(2) Where the Estates Commissioners certify to the Lord Lieutenant that any land not being land vested in the Land Commission is required by the Estates Commissioners wholly or mainly for the purpose of providing holdings for any such men, then—

(*a*) If the land is or forms part of an estate or untenanted land agreed to be sold to the Land Commission or Congested Districts Board under the Land Purchase Acts, the Lord Lieutenant may cause the sale to be expedited in accordance with regulations to be made for the purpose under section four of the Irish Land Act, 1909, and also in the case of an estate or untenanted land agreed to be sold to the Board, may, after consultation with the Board, direct that the sale, either as respects the whole of the estate or untenanted land, or as respects any part or parts thereof, shall be transferred from the Board to the Commission, and in that event the sale, as so transferred, shall be carried out and completed by the Commission in the prescribed manner; and

9 Edw. 7. c. 42.

(*b*) If the land is land vested in the Congested Districts Board, the Lord Lieutenant may, after consultation with the Board, require the Board to sell, and the Land Commission to purchase the same or any part thereof on such terms as may be agreed upon with the approval of the Treasury or, in default of agreement, as may be determined by the Lord Lieutenant with the approval of the Treasury, and the land so purchased shall be transferred accordingly from the Board to the Commission in the prescribed manner; and

(*c*) If the land is land which is not vested in the Congested Districts Board and is not the subject of an agreement for sale under the Land Purchase Acts, the Lord Lieutenant may (whether the land is or is not situated in a congested districts county, but, in the case of land so situated, after consultation with the Congested Districts Board), authorise the Land Commission to purchase the same, and thereupon the provisions of those Acts as to the purchase of estates by the Land Commission shall apply as respects the land in like manner as if it were a congested estate, the purchase of which is required for the purpose of relieving congestion, and as if the certificate under this section were a certificate under subsection (4) of section six of the Irish Land Act, 1903:

Edw. 7. c. 37.

Provided that, in any case where the price of the land is fixed by the Judicial Commissioner under section sixty-three of the Irish Land Act, 1909, the Land Commission may, if they think fit, on serving such notice within such time as may be prescribed, withdraw from the purchase.

(3) Section fifty-eight of the Irish Land Act, 1909, shall not apply to any purchase of land which is directed or authorised by the Lord Lieutenant under this section.

(4) Pending the resale of any land which the Land Commission propose to re-sell to such men as aforesaid, the Commission shall have power to manage and let the land in such manner as they think advisable.

(5) Section ninety-one of the Lands Clauses Consolidation Act, 1845, is hereby incorporated with this section, and in construing the said section as so incorporated this Act shall be deemed to be the special Act, and the Estates Commissioners shall be deemed to be the promoters of the undertaking. 8 & 9 Vict. c. 18.

(6) The Judicial Commissioner and Estates Commissioners may make rules for carrying into effect the provisions of this section and in particular for prescribing anything requiring to be prescribed under this section and for making such adaptations of the provisions of the Land Purchase Acts as may be necessary or expedient for effectuating the transfer of land or sales of land from the Board to the Commission under this section.

Restraint on alienation of holdings or stock provided under Act.

2.—(1) When a holding has been vested in any such man as aforesaid under the special powers conferred by section one of this Act—

(*a*) the holding shall not be transferred, subdivided, or let by him without the consent of the Land Commission, and every attempted transfer, subdivision, or letting in contravention of this provision shall be void, and on any such contravention the holding shall, at the option of the Land Commission, revest in the Land Commission:

(*b*) the holding shall not, nor shall any stock or other chattels provided for him by means of a grant or loan under the Irish Land Act, 1903, be made available in any bankruptcy or by any other process or proceeding of law to pay, satisfy, or discharge in whole or in part any debt contracted or incurred by him prior to the date on which the holding became vested in him other than a debt due to the Land Commission.

(2) A certificate purporting to be under the common seal of the Land Commission shall be conclusive evidence that the holding therein described was vested in the man therein named under the special powers conferred by section one of this Act.

Expenses of Land Commission.

3.—(1) Any moneys required by the Land Commission for the exercise of the powers of managing and letting land given to them by this Act shall be provided under section twenty-eight of the Irish Land Act, 1909, in the same manner as money required for the exercise of their powers for the improvement or benefit of estates and untenanted land.

(2) Prior to the resale of any land which has been managed or let by the Land Commission pending resale, an account shall be prepared by the Land Commission showing the profit or loss in connexion with the management and letting, and, if the account shows a profit, the amount thereof shall be applied in satisfaction or reduction of the amount, if any, expended by the Commission for the benefit or improvement of the land, and, subject thereto, shall be paid to the Exchequer, and, if the account shows a loss, the amount thereof shall be treated as money expended by the Commission on the improvement of the land.

(3) Section twenty-nine of the Irish Land Act, 1909, shall apply to any land resold to such men as aforesaid in like manner as if the land were a congested estate.

Provision of cottages, &c., for ex-service men under the Labourers (Ireland) Acts.

4.—(1) The Local Government Board shall have power to make and carry out schemes for the provision of cottages with or without plots or gardens for the accommodation of men who have served as aforesaid, and who satisfy the Board as to their fitness and suitability.

(2) A scheme under this section shall specify the land which the Board propose to acquire for the purposes of the scheme whether by agreement or compulsorily, and notice of the scheme and of the time (not being less than twenty-one days) within which objections to the scheme must be sent to the Board shall be given in the prescribed manner to the owners or reputed owners, lessees or reputed lessees, and occupiers of the land.

(3) On the expiration of the time limited for sending objections the Board, after considering any objections that may have been duly sent to them, may make an order confirming the scheme with or without modifications, or may reject the scheme.

(4) For the purpose of carrying out any scheme when so confirmed, the Local Government Board, in addition to their other powers, shall have and may exercise all the powers except powers of borrowing or causing a rate to be levied that may be exercised by a rural district council under the Labourers (Ireland) Acts, 1883 to 1919, for the purpose of carrying out an improvement scheme when confirmed by a final order under section six of the Labourers (Ireland) Act, 1906, including powers of acquiring land by agreement or compulsorily, and, subject to such adaptations as may be made under this section,

6 Edw. 7. c. 37.

those Acts and the Acts incorporated therein shall apply accordingly with the following modifications, namely :—

(*a*) an order of the Board confirming a scheme under this section shall have the like effect as if the scheme were an improvement scheme and the order were an order made and confirmed under section six of the Labourers (Ireland) Act, 1906;

(*b*) two statute acres shall be substituted for one statute acre as the maximum area of the plot or garden that may be provided;

(*c*) expenses incurred in making and carrying out schemes under this section shall be defrayed in manner provided by this section; and

(*d*) the power of acquiring land shall not be exercised by the Board after the expiration of three years from the passing of this Act.

(5) Any cottage, plot, or garden provided under this section which ceases to be required for the accommodation of any such man as aforesaid may be let or otherwise disposed of in such manner as the Board may, with the approval of the Treasury, determine.

(6) The Local Government Board may make orders adapting the provisions of the Labourers (Ireland) Acts, 1883 to 1919, and any enactments incorporated therewith, in such manner as may appear to them to be necessary or expedient in order to give full effect to the provisions of this section.

(7) The expenses incurred by the Local Government Board in making and carrying out schemes under this section shall, to such extent as may be sanctioned by the Treasury, be defrayed out of moneys provided by Parliament, and the receipts of the Local Government Board in respect of cottages, plots, and gardens provided under such schemes shall be paid into the Exchequer at such times and in such manner as may be directed by the Treasury.

(8) The Local Government Board shall, in connexion with schemes under this section, prepare an annual account in accordance with such directions as may be given by the Treasury, and shall transmit the account to the Controller and Auditor General, and the Controller and Auditor General shall certify and report upon the same, and such account and report shall be laid before Parliament as soon as may be after the report is made.

Power of Department to promote co-operation in connexion with holdings or plots or gardens provided under Act. 6 & 7 Geo. 5. c. 38.

5.—(1) The Department of Agriculture and Technical Instruction for Ireland (in this Act referred to as "the Department") shall have power to promote co-operation in connexion with holdings or plots or gardens provided under this Act, and section two of the Small Holding Colonies Act, 1916, shall apply accordingly with the substitution of

references to the Department for references to the Board of Agriculture and Fisheries, and of references to this Act for references to that Act and with the omission of the provisions relative to the transfer of small holdings.

(2) Any moneys required by the Department for the purpose of promoting co-operation under this Act shall, to an amount sanctioned by the Treasury, be paid as part of the expenses of the Department under Part I. of the Agriculture and Technical Instruction (Ireland) Act, 1899.

62 & 63 Vict. c. 50.

Amendment of 6 & 7 Geo. 5. c. 60.

6. In the application to Ireland of subsection (1) of section one of the Sailors and Soldiers (Gifts for Land Settlement) Act, 1916, any references to the Department of Agriculture and Technical Instruction for Ireland shall be construed as including references to the Land Commission and to the Local Government Board.

Consideration of applicant's wishes.

7. In dealing with applications made in accordance with the provisions of this Act regard shall, so far as reasonably possible, be had for the wishes of individual applicants as to the locality in which they desire their land, plot, or cottage to be situated.

Short title and construction.

8. This Act may be cited as the Irish Land (Provision for Sailors and Soldiers) Act, 1919, and, so far as it relates to the provision of holdings under the Land Purchase Acts, shall be construed as one with those Acts, and, so far as it relates to the provision of cottages, plots, or gardens under the Labourers (Ireland) Acts, 1883 to 1919, shall be construed as one with the last-mentioned Acts.

9 Edw. 7. c. 42.

CHAPTER 83.

An Act to amend the Workmen's Compensation (War Addition) Act, 1917. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Increase of additional weekly sum payable under 7 & 8 Geo. 5. c. 42.

1. As from the commencement of this Act the additional weekly sum payable under the Workmen's Compensation (War Addition) Act, 1917 (in this Act referred to as "the War Addition Act"), shall, instead of being a sum equal to one-quarter of the amount of the weekly payment, be a sum equal to three-quarters of the amount of the weekly payment.

Extension of right to additional sum to

2. The War Addition Act, as amended by this Act, shall apply to workmen entitled during total incapacity to weekly

payments by way of compensation under the Workmen's Compensation Acts, 1897 and 1900, as it applies to workmen so entitled under the Workmen's Compensation Act, 1906, with the substitution for the references in the War Addition Act to the Workmen's Compensation Act, 1906, of references to the corresponding provisions (if any) of the Workmen's Compensation Act, 1897.

persons entitled to compensation under the Workmen's Compensation Acts, 1897 and 1900.

3.—(1) This Act shall come into operation on the first day of January, nineteen hundred and twenty.

Commencement and short title.

(2) This Act may be cited as the Workmen's Compensation (War Addition) Amendment Act, 1919, and the War Addition Act and this Act may be cited together as the Workmen's Compensation (War Addition) Acts, 1917 and 1919.

CHAPTER 84.

An Act to amend section four of the County and Borough Police Act, 1859. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Section four of the County and Borough Police Act, 1859 (which relates to penalties for resignation or withdrawal from duty of police without notice), shall have effect, and shall, as from the first day of April, nineteen hundred and nineteen, be deemed to have had effect as if for the word "forfeited" there were substituted the words "liable to be forfeited."

Amendment of 22 & 23 Vict. c. 32. s. 4.

2. This Act may be cited as the County and Borough Police Act, 1919; and the Police Acts, 1839 to 1910, and this Act may be cited together as the Police Acts, 1839 to 1919.

Short title.

CHAPTER 85.

An Act to remove the limit imposed by section forty-seven of the Mental Deficiency Act, 1913, and by section thirty-seven of the Mental Deficiency and Lunacy (Scotland) Act, 1913, on the contributions which may be made by the Treasury under those sections, and to extend the powers of district boards of control in Scotland to borrow money. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Removal of limit on Treasury contribution. 3 & 4 Geo. 5. c. 28. 3 & 4 Geo. 5. c. 38.

1. The limit imposed by section forty-seven of the Mental Deficiency Act, 1913, and section thirty-seven of the Mental Deficiency and Lunacy (Scotland) Act, 1913, on the amounts which may be paid in any financial year out of money provided by Parliament towards the expenses referred to in those sections shall not apply to the amount to be so paid in the financial year commencing on the first day of April nineteen hundred and nineteen, or in any subsequent financial year, and accordingly in each of those sections the proviso is hereby repealed.

Abolition of limit on rate of interest at which district boards in Scotland may borrow. 20 & 21 Vict. c. 71.

2. So much of section sixty-one of the Lunacy (Scotland) Act, 1857, as limits the rate of interest at which district boards may borrow, shall cease to have effect, and the words therein occurring "and such money may be so borrowed at "any rate of interest not exceeding five pounds per centum "per annum" are hereby repealed.

Power of district board in Scotland to borrow for current expenditure.

3. If in any year a district board of control shall find it necessary to make payments in connection with the current annual expenditure for the purposes of the Lunacy (Scotland) Acts, 1857 to 1913, and the Mental Deficiency and Lunacy (Scotland) Act, 1913, in anticipation of the assessment authorised under the said Acts, it shall be lawful for such district board to borrow by way of temporary loan or overdraft on the security of the aforesaid assessment such amount as may be necessary to meet such expenditure, but, when any sum has been so borrowed on the security of the assessment of any financial year, it shall not be competent to borrow on the security of the assessment of any other year until the money borrowed as aforesaid shall have been paid off.

Short title.

4.—(1) This Act may be cited as the Mental Deficiency and Lunacy (Amendment) Act, 1919.

(2) The Mental Deficiency Act, 1913, and this Act, so far as it amends that Act, may be cited together as the Mental Deficiency Acts, 1913 to 1919, and the Lunacy (Scotland) Acts, 1857 to 1913, and this Act, so far as it amends those Acts, may be cited together as the Lunacy (Scotland) Acts, 1857 to 1919.

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CHAPTER 86.

An Act to amend the Anglo-Persian Oil Company (Acquisition of Capital) Act, 1914.

[23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision of further money for purposes of 4 & 5 Geo. 5. c. 37.

1. In addition to the sums authorised to be issued out of the Consolidated Fund under the Anglo-Persian Oil Company (Acquisition of Capital) Act, 1914, for the purposes of acquiring share or loan capital of the Anglo-Persian Oil Company, Limited, the Treasury may, as and when they think fit, issue out of the Consolidated Fund or the growing produce thereof such further sums, not exceeding in the whole two million and fifty thousand pounds, as may be required for the said purpose.

Power for Treasury to raise money.

2.—(1) For the purpose of providing for the issue of sums out of the Consolidated Fund under this Act, or for the repayment to that Fund of the whole or any part of the sums issued out of that Fund under this Act, or for the paying off or redemption of any securities issued under this section, the Treasury may, if they think fit, at any time create and issue such securities, bearing such rate of interest and subject to such conditions as to repayment, redemption or otherwise, as they think fit, and all sums raised by any issue of securities under this section shall be paid into the Exchequer.

(2) The principal of and interest on any securities issued under this section shall be charged on and payable out of the Consolidated Fund of the United Kingdom or the growing produce thereof.

Payment into Exchequer and application of dividends on capital acquired.

3.—(1) Any dividends or interest received after the passing of this Act on any share or loan capital acquired under the Anglo-Persian Oil Company (Acquisition of Capital) Act, 1914, or this Act shall be paid into the Exchequer.

(2) So long as any sums raised under this Act are outstanding, an amount equal to the sums received by way of dividend or interest as aforesaid, after deducting from those sums the amount required from time to time for the payment of the interest on any securities issued under this Act or for the repayment of any advance made for the purpose of paying any such interest shall be issued out of the Exchequer in accordance with directions of the Treasury, to the National Debt Commissioners for the purpose of being applied by them as and when they think fit in purchasing, paying off or redeeming any securities issued under this Act.

Any sums received by the Commissioners under the foregoing provision shall, until applied by them as aforesaid, be accumulated and invested in accordance with the directions of the Treasury, and any securities purchased, paid off, or redeemed, shall be cancelled.

Short title.

4. This Act may be cited as the Anglo-Persian Oil Company (Acquisition of Capital) Amendment Act, 1919.

CHAPTER 87.

An Act to extend the duration of the Profiteering Act, 1919. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuation of 9 & 10 Geo. 5. c. 66.

1. The Profiteering Act, 1919, shall continue in force until the nineteenth day of May, nineteen hundred and twenty.

Short title.

2. This Act may be cited as the Profiteering (Continuance) Act, 1919, and the Profiteering Act, 1919, and this Act may be cited together as the Profiteering Acts, 1919.

.....

CHAPTER 88.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and twenty, and to appropriate the Supplies granted in this Session of Parliament. [23rd December 1919.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

GRANT OUT OF CONSOLIDATED FUND.

Issue of 213,526,824*l.* out of the Consolidated Fund.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and twenty the sum of two hundred and thirteen million five hundred and twenty-six thousand eight hundred and twenty-four pounds.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole two hundred and thirteen million five hundred and twenty-six thousand eight hundred and twenty-four pounds. Power for the Treasury to borrow.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March one thousand nine hundred and twenty, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills. 40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

APPROPRIATION OF GRANTS.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of one thousand two hundred and sixty-eight million eight hundred and seventy-one thousand two hundred and eighty-two pounds, are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Acts mentioned in the said Schedule (A), for the services and purposes expressed in Schedule (B) annexed hereto. Appropriation of sums voted for supply services.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

In addition to the sums hereby granted out of the Consolidated Fund, there may be applied out of any money directed under section two of the Public Accounts and Charges Act, 1891, to be applied as appropriations in aid of the grants for the services and purposes specified in Schedule (B) annexed hereto the sums respectively set forth in the last column of the said schedule. 54 & 55 Vict. c. 24.

4.—(1) So long as the aggregate expenditure on naval, military and air services respectively is not made to exceed the aggregate sums appropriated by this Act for those services respectively, any surplus arising on any vote for those services, either by an excess of the sum realised on account of Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that

the aggregate grants for the navy services, the army services, and for the air services respectively be not exceeded.

appropriations in aid of the vote over the sum which may be applied under this Act as appropriations in aid of that vote, or by saving of expenditure on that vote, may, with the sanction of the Treasury, be temporarily applied either in making up any deficiency in the sums realised on account of appropriations in aid of any other vote in the same department, or in defraying expenditure in the same department which is not provided for in the sums appropriated to the service of the department by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course.

(2) A statement showing all cases in which the sanction of the Treasury has been given to the temporary application of a surplus under this section, and showing the circumstances under which the sanction of the Treasury has been given, shall be laid before the House of Commons with the appropriation accounts of the naval, military and air services for the year, in order that any temporary application of any surplus sanctioned by the Treasury under this section may be submitted for the sanction of Parliament.

Sanction for navy and army expenditure for 1917–1918 unprovided for. 7 & 8 Geo. 5. c. 52. 8 & 9 Geo. 5. c. 56.

5. Whereas under the powers given for the purpose by the Appropriation Acts, 1917 and 1918, surpluses arising on certain votes for the naval and military services respectively have been temporarily applied as shown in the accounts set out in Schedule (C) to this Act:

It is enacted that the application of those surpluses as shown in the said accounts is hereby sanctioned.

Declaration required in certain cases before receipt of sums appropriated.

6. A person shall not receive any part of a grant which may be made in pursuance of this Act for half-pay or army, navy, air force, or civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Treasury before one of the persons prescribed by such warrant:

Provided that, whenever any such payment is made at more frequent intervals than once in a quarter, the Treasury may dispense with the production of more than one declaration in respect of each quarter.

Any person who makes a declaration for the purpose of this section, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanor.

Short title.

7. This Act may be cited for all purposes as the Appropriation Act, 1919.

ABSTRACT
OF
SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

Section 3.

	£	s.	d.
Grants out of the Consolidated Fund - - -	1,268,871,282	–	–

SCHEDULE (B.)—APPROPRIATION OF GRANTS.

Section 3.

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
1917–1918–1919.	£	s.	d.	£	s.	d.
Part 1. Navy Excesses, 1917–1918	10	0	0	6,533,734	7	6
„ 2. Navy (Supplementary), 1918–1919 - - -	10	0	0	17,000,000	0	0
„ 3. Army (Supplementary), 1918–1919 - - -	10	0	0	160,000,000	0	0
„ 4. Civil Services (Supplementary), 1918–1919 -	1,124,532	0	0	90,487	0	0
„ 5. Ministry of Munitions and Ordnance Factories, 1918–1919 - - -	200	0	0	112,998,900	0	0
„ 6. Ministry of Shipping, 1918–1919 - - -	100	0	0	199,999,900	0	0
„ 7. Ministry of Reconstruction, 1918–1919 - -	9,000	0	0	—		
£	1,133,862	0	0	496,623,021	7	6
1919–1920.						
Part 8. Navy - - - -	157,528,800	0	0	15,269,976	0	0
„ 9. Army - - - -	405,000,000	0	0	95,000,000	0	0
„ 10. Air Force - - -	54,030,850	0	0	2,005,100	0	0
£	616,559,650	0	0	112,275,076	0	0
„ 11. Civil Services, Class I. -	8,806,812	0	0	329,525	0	0
„ 12. Ditto, Class II. -	18,349,778	0	0	3,541,411	0	0
„ 13. Ditto, Class III. -	14,669,257	0	0	732,978	0	0
„ 14. Ditto, Class IV. -	43,250,190	0	0	46,090	0	0
„ 15. Ditto, Class V. -	2,656,043	0	0	155,920	0	0
„ 16. Ditto, Class VI. -	11,514,115	0	0	11,200	0	0
„ 17. Ditto, Class VII. -	38,201,265	0	0	45,479	0	0
„ 18. Ditto, Unclassified	463,164,344	0	0	284,092,290	0	0
TOTAL CIVIL SERVICES - £	600,611,804	0	0	288,954,893	0	0

1919–1920.	Sums not exceeding: Supply Grants. £ s. d.	Sums not exceeding: Appropriations in Aid. £ s. d.
Part 19. Revenue Departments, &c.	49,980,966 0 0	748,250 0 0
„ 20. Naval, Military, and Air Forces (Grants to Officers) - - -	585,000 0 0	—
GRAND TOTAL - - £	1,268,871,282 0 0	898,601,240 7 6

SCHED. (A.) Section 3.

SCHEDULE (A.)

GRANTS OUT OF THE CONSOLIDATED FUND.

	£ s. d.
For the service of the year ended on the 31st day of March 1918 :—	
Under Act 9 & 10 Geo. 5. c. 49 - - -	10 0 0
For the service of the year ended on the 31st day of March 1919 :—	
Under Act 9 Geo. 5. c. 5 - - - - -	1,133,852 0 0
For the service of the year ending on the 31st day of March 1920 :—	
Under Act 9 Geo. 5. c. 5 - - - - -	440,310,000 0 0
Under Act 9 & 10 Geo. 5. c. 49 - - -	613,900,596 0 0
Under this Act - - - - - - -	213,526,824 0 0
TOTAL - - - -	£1,268,871,282 0 0

SCHED. (B.) PART 1.

Navy Excesses, 1917–1918. Section 3.

SCHEDULE (B.)—PART 1.

NAVY EXCESSES, 1917–1918.

	Sums not exceeding: Supply Grants. £ s. d.	Sums not exceeding: Appropriation in Aid. £ s. d.
Sum granted to make good excesses of Navy expenditure beyond the Grants, for the year ended on the 31st day of March 1918 - -	10 0 0	6,533,734 7 6

SCHEDULE (B.)—PART 2.

SCHED. (B.) PART 2. Navy (Supplementary), 1918-1919.

NAVY (SUPPLEMENTARY), 1918-1919.

SUM granted and sum which may be applied as appropriation in aid in addition thereto to meet additional expenditure on Navy Services for the year ended on the 31st day of March 1919, viz. :—

		Sum not exceeding	
		Supply Grant.	Appropriation in Aid.
Vote 1.	Wages, &c., of Officers, Seamen and Boys, Coast Guard, and Royal Marines - -	£ s. d. 10 0 0	£ 17,000,000

SCHEDULE (B.)—PART 3.

SCHED. (B.) PART 3. Army (Supplementary), 1918-1919.

ARMY (SUPPLEMENTARY), 1918-1919.

SUM granted and sum which may be applied as appropriation in aid in addition thereto to meet additional expenditure on Army Services for the year ended on the 31st day of March 1919, viz. :—

		Sum not exceeding	
		Supply Grant.	Appropriation in Aid.
Vote 1.	Pay, &c., of the Army - - - -	£ s. d. 10 0 0	£ 160,000,000

SCHED. (B.) PART 4.
Civil Services (Supplementary), 1918–1919.

SCHEDULE (B.)—PART 4.

CIVIL SERVICES (SUPPLEMENTARY), 1918–1919.

SCHEDULE of SUPPLEMENTARY SUMS granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1919, viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES.		
CLASS I.	£	£
For Expenditure in respect of Diplomatic and Consular Buildings, and for the Maintenance of certain Cemeteries Abroad	19,770	—
For Expenditure in respect of sundry Public Buildings in Great Britain, not provided for on other Votes	19,300	—
For the Survey of the United Kingdom and for minor services connected therewith	5,300	13,500
For Rates and Contributions in lieu of Rates, &c., in respect of Government Property, and for Rates on Houses occupied by Representatives of Foreign Powers, and for Salaries and Expenses of the Rating of Government Property Department, and for a Contribution towards the Expenses of the London Fire Brigade	81,500	7,000
CLASS II.		
For the Salaries and Expenses of the Board of Agriculture and Fisheries, of the Agricultural Wages Board and of the Royal Botanic Gardens, Kew, including certain Grants in Aid	5	40,000
For the Salaries and Expenses of the Office of the Lord Privy Seal	1,090	—
For His Majesty's Foreign and other Secret Services	150,000	—
For the Salaries and Expenses of the Offices of the Chief Secretary in Dublin and London, and of the Inspectors of Lunatic Asylums, and Expenses under the Inebriates Acts	1,000	—
CLASS III.		
For the Expenses of the Prisons in England, Wales, and the Colonies, including a Grant in Aid of certain Expenses connected with Discharged Prisoners	16,000	—
For the Salaries and Expenses of the Office of the Inspector of Reformatories, and for the Expenses of the Maintenance of Juvenile Offenders in Reformatory, Industrial and Day Industrial Schools, and in Places of Detention under the Children Act, in Great Britain	57,955	—

SCHEDULE (B.)—PART 4.

SCHED. (B.) PART 4. Civil Services (Supplementary), 1918-1919.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES—*cont.*		
CLASS III.—*cont.*	£	£
For the Salaries and Expenses of various County Court Officers, and of Magistrates in Ireland	9,644	—
For the Salaries and Expenses of the Commissioner of Police, the Police Courts and the Metropolitan Police Establishment of Dublin	9,500	3,524
For the Expenses of the Royal Irish Constabulary	134,105	*5,837
For the Maintenance of Criminal Lunatics in the Dundrum Criminal Lunatic Asylum, Ireland	1,500	—
CLASS IV.		
For the Salaries and Expenses of the Board of Education and of the various Establishments connected therewith, including sundry Grants in Aid	225,000	—
For a Grant in Aid of the Serbian Relief Fund	12,500	—
For Public Education in Scotland, and for Science and Art in Scotland	27,875	—
CLASS V.		
For making good the Net Loss on Transactions connected with the raising of Money for the various Treasury Chests abroad in the year 1917–18	51,022	—
CLASS VI.		
For certain Miscellaneous Expenses, including certain Charitable and other Allowances, Great Britain	10	4,500
For the Ireland Development Grant (Grant in Aid) and for other purposes of development and reconstruction in Ireland	20,000	—
For a Grant in Aid of the Government Hospitality Fund	60,000	—
CLASS VII.		
For the Salaries and Expenses of the Ministry of Labour and Subordinate Departments, including the Contribution to the Unemployment Insurance Fund and Repayments to Associations pursuant to Sections 85 and 106 of the National Insurance Act, 1911, and the National Insurance (Part II.) (Munition Workers) Act, 1916	196,456	27,800
For the Payment of Grants towards the Cost of the Extension of Sanatorium Benefit to the Dependants of Insured Persons under the National Insurance Act, 1911, and of the Treatment of Tuberculosis generally	25,000	—
TOTAL £	1,124,532	90,487

* Deficit.

SCHED. (B.) PART 5.
Ministry of Munitions, 1918–1919.

SCHEDULE (B.)—PART 5.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
MINISTRY OF MUNITIONS, &c. (SUPPLEMENTARY), 1918–1919.	£	£
For the salaries and expenses of the Ministry of Munitions	100	79,999,900
For the expenses of the Ordnance Factories, the cost of the production of which will be charged to the Army, Navy, Ministry of Munitions, and Indian and Colonial Governments, &c.	100	32,999,000
TOTAL £	200	112,998,900

SCHED. (B.) PART 6.
Ministry of Shipping, 1918–1919.

SCHEDULE (B.)—PART 6.

MINISTRY OF SHIPPING (SUPPLEMENTARY), 1918–1919.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
For the salaries and expenses of the Ministry of Shipping	100	199,999,900

SCHED. (B.) PART 7.
Ministry of Reconstruction.

SCHEDULE (B.)—PART 7.

MINISTRY OF RECONSTRUCTION, 1918–1919.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
For the salaries and expenses of the Ministry of Reconstruction	9,000	—

SCHEDULE (B.)—PART 8.

SCHED. (B.) PART 8. Navy.

NAVY.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1920; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For wages, &c., to 280,000 officers, seamen, and boys, coastguard, and royal marines, women's royal naval service, and mercantile officers and men	33,893,800	78,000
2.	For victualling and clothing for the navy, including the cost of victualling establishments at home and abroad	10,008,000	1,907,596
3.	For medical services, including the cost of medical establishments at home and abroad	629,200	21,130
4.	For civilians employed on fleet services	496,000	440
5.	For educational services	417,500	74,069
6.	For scientific services	463,000	85,539
7.	For the royal naval reserve, the royal fleet reserve, and the royal naval volunteers, &c.	459,000	3,807
8.	Sect. 1. For the personnel for shipbuilding, repairs, maintenance, &c., at dockyards and naval yards at home and abroad	12,008,000	26,172
	„ Sect. 2. For the matériel for shipbuilding, repairs, maintenance, &c., at dockyards and naval yards at home and abroad	10,685,700	12,661,000
	„ Sect. 3, For contract work for shipbuilding, repairs, &c.	41,855,400	70,060
9.	For naval armaments and aviation	15,790,100	125,000
10.	For works, buildings, and repairs at home and abroad, including the cost of superintendence, purchase of sites, grants in aid, and other charges connected therewith	5,667,700	50,000
11.	For various miscellaneous effective services	6,106,000	125,740
12.	For the Admiralty office	1,900,000	3,898
13.	For half-pay and retired pay	1,296,600	12,327
14.	For naval and marine pensions, gratuities, and compassionate allowances	15,134,000	24,747
15.	For civil superannuation, compensation allowances, and gratuities	718,800	451
	TOTAL NAVY SERVICES £	157,528,800	15,269,976

SCHED. (B.) PART 9. Army.

SCHEDULE (B.)—PART 9.

ARMY.

SCHEDULE of estimated gross and net expenditure in respect of ARMY SERVICES in respect of the year ending on the 31st day of March 1920; and of the sums granted, and the receipts which may be appropriated in aid thereof, to defray the charges of the said services :—

Heads.	Sums not exceeding			
	Gross.	Receipts.	Net.	
	£	£	£	
Head I.—Maintenance of Standing Army -	273,507,000	4,973,000	268,534,000	
Head II.—Territorial and Reserve Forces and Volunteers - - -	1,351,000	2,000	1,349,000	
Head III.—Cost of Educational, &c., Establishments, and Working Expenses of Hospitals, Depôts, &c. - - -	24,673,000	253,000	24,420,000	
Head IV. — War Office, Staff of Commands at Home and Colonial Garrisons, &c. - -	6,910,000	1,000	6,909,000	
Head V.—Capital Accounts	30,980,000	27,330,000	3,650,000	
Head VI.—Terminal and Miscellaneous Charges and Receipts - -	148,678,000	34,185,000	114,493,000	
Head VII.—Half Pay, Retired Pay, Pensions, and Civil Superannuation -	6,374,000	996,000	5,378,000	
GRAND TOTAL - -	492,473,000	67,740,000	424,733,000	
			Supply Grant.	Appropriation in Aid.
Estimated cash required for Army Services in 1919-20 - - - -	- - -	- -	£405,000,000	—
Estimated Receipts to be appropriated in Aid of Army Services in 1919-20 - - - - -	- - -	- - -	- -	£95,000,000

SCHED. (B.) PART 10. Air Force.

SCHEDULE (B.)—PART 10.

AIR FORCE.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the AIR FORCE SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1920; viz.:—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For the pay, &c., of 150,000 of all ranks of the Air Force	21,051,000	450,000
2.	For the quartering stores (except technical), supplies, animals and transport of the Air Force	6,103,000	609,000
3.	For the expense of technical and warlike stores	19,322,850	545,000
4.	For the works, buildings, repairs, and lands (including civilian staff), and other charges connected therewith	6,402,000	399,000
5.	For the expense of the Air Ministry	692,000	100
6.	For the miscellaneous effective services of the Air Force	203,000	1,000
7.	For the expense of rewards, half-pay, retired pay, widows' pensions, and other non-effective services	257,000	1,000
	TOTAL AIR FORCE £	54,030,850	2,005,100

SCHED. (B.) PART 11. Civil Services. Class I.

SCHEDULE (B.)—PART 11.

CIVIL SERVICES.—CLASS I.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1920; viz.:—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid
		£	£
1.	For expenditure in respect of royal palaces, including a grant in aid	90,400	3,750
2.	For expenditure in respect of Osborne	17,100	385
3.	For expenditure in respect of the royal parks and pleasure gardens	192,900	15,950
4.	For expenditure in respect of the Houses of Parliament buildings (including a supplementary sum of 2,310*l.*)	91,910	360

SCHED. (B.) PART II. Civil Services, Class I.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
5.	For expenditure in respect of miscellaneous legal buildings, Great Britain	64,000	750
6.	For expenditure in respect of Art and Science buildings, Great Britain	126,400	1,030
7.	For expenditure in respect of diplomatic and consular buildings, and for the maintenance of certain cemeteries abroad	119,900	3,825
8.	For expenditure in respect of Customs and Excise, Inland Revenue, Post Office and Telegraph buildings in Great Britain, and certain Post Offices abroad	860,900	3,600
9.	For expenditure in respect of Ministry of Labour, Employment Exchange, and Insurance buildings, Great Britain (including a supplementary sum of 510,000*l.*)	1,146,700	2,375
10.	For expenditure in respect of sundry public buildings in Great Britain not provided for on other votes (including a supplementary sum of 847,350*l.*)	3,906,050	63,500
10A.	For expenditure in respect of the erection of a permanent replica of the Cenotaph in Whitehall	5,000	—
11.	For the expenses of survey of the United Kingdom, and for minor services connected therewith	265,836	63,000
12.	For the expenses of maintaining certain harbours under the Ministry of Transport (including a supplementary sum of 195,500*l.*), and for Grants for harbours	201,726	2,500
13.	For the expenses of constructing a new harbour of refuge at Peterhead	32,000	—
14.	For rates and contributions in lieu of rates, &c., in respect of Government property, and for rates on houses occupied by Representatives of Foreign Powers, and for salaries and expenses of the Rating of Government property department, and for a contribution towards the expenses of the London Fire Brigade	1,313,950	159,000
15.	For expenditure in respect of public buildings in Ireland, for the maintenance of certain parks and public works, and for the maintenance of drainage works on the River Shannon	271,700	9,500
16.	For payments under the Tramways and Public Companies (Ireland) Act, 1883, &c., the Railways (Ireland) Act, 1896, the Marine Works (Ireland) Act, 1902, and for other purposes connected with Irish railways	100,340	—
	TOTAL CIVIL SERVICES, CLASS I. £	8,806,812	329,525

SCHEDULE (B.)—PART 12.

CIVIL SERVICES.—CLASS II.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1920; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the offices of the House of Lords	51,632	—
2.	For the salaries and expenses of the House of Commons	341,774	8,500
2A.	For the salaries and expenses of the War Cabinet	39,845	—
3.	For the salaries and other expenses in the department of His Majesty's Treasury and subordinate departments, including expenses in respect of advances under the Light Railways Act, 1896	187,519	4,846
4.	For the salaries and expenses of the office of His Majesty's Secretary of State for the Home Department and subordinate offices	352,058	7,875
5.	For the salaries and expenses of the department of His Majesty's Secretary of State for Foreign Affairs, including the Foreign Claims Office, Foreign Trade Department, War Trade Statistical Department, and News Department	219,668	15,500
6.	For the salaries and expenses of the department of His Majesty's Secretary of State for the Colonies, including a grant in aid of certain expenses connected with Emigration	94,525	—
7.	For the salaries and expenses of the department of His Majesty's most Honourable Privy Council (including a supplementary sum of 3,000*l.*)	15,777	3,000
8.	For the salaries and expenses of the office of the Committee of Privy Council for Trade, and subordinate departments, including certain Special Services arising out of the War	3,413,254	135,390
8A.	For the salaries and expenses of the Department of Overseas Trade	290,000	—
9.	For the salaries and expenses of certain services transferred from the Mercantile Marine Fund and other services connected with the Mercantile Marine, including Merchant Seamen's Fund Pensions	182,751	197,335
10.	For meeting the deficiency of income from fees, &c., for the requirements of the Board of Trade, under the Bankruptcy Act, 1914	10	108,059
10A.	For a grant to the Interim Forest Authority	100,000	—

SCHED. (B.) PART 12. Civil Services. Class II.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
11.	For the salaries and expenses of the Board of Agriculture and Fisheries, of the Agricultural Wages Board, of the Royal Botanic Gardens, Kew, and of the Food Production Department, including certain grants in aid and special expenditure in connection with the purchase of pickled herrings (including a supplementary sum of 1,161,125*l.*) - -	3,039,220	1,753,285
12.	For the salaries and expenses of the Charity Commission for England and Wales -	36,619	—
13.	For the salaries and expenses of the Department of the Government Chemist - -	39,825	—
14.	For the salaries and expenses of the Civil Service Commission - - - - -	56,059	—
14A.	For the salaries and expenses of the Conciliation and Arbitration Board for Government Employees - - - - - -	3,282	—
15.	For the salaries and expenses of the department of the Comptroller and Auditor General - - - - -	113,030	3,202
16.	For the salaries and expenses of the Registry of Friendly Societies - - - - -	34,074	1,100
17.	For the salaries and expenses of the Local Government Board, including certain special services arising out of the war - -	655,000	475
18.	For the salaries and expenses of the Board of Control (Lunacy and Mental Deficiency), England - - - - - -	216,650	1,474
19.	For the salaries and expenses of the Mint, including the expenses of coinage, and for the expenses of the preparation of medals, dies for postage and other stamps, and His Majesty's seals - - - - -	10	160,300
20.	For the salaries and expenses of the National Debt Office - - - - - -	19,236	4,008
21.	For the salaries and expenses of the Public Record Office and of the Office of Land Revenue Records and Inrolments - -	30,697	—
22.	For the salaries and expenses of the establishment under the Public Works Loan Commissioners - - - - -	14,851	3,000
23.	For the salaries and expenses of the department of the Registrar General of Births, &c., in England - - - - - -	66,459	14,520

SCHED. (B.) PART 12. Civil Services. Class II.

No.		Sums not exceeding: Supply Grants. £	Sums not exceeding: Appropriations in Aid. £
24.	For stationery, printing, paper, binding, and printed books for the public service, for the salaries and expenses of the Stationery Office, and for sundry miscellaneous services, including reports of Parliamentary Debates -	5,280,442	900,000
25.	For the salaries and expenses in the office of His Majesty's Woods, Forests, and Land Revenues - - - - -	27,213	—
26.	For the salaries and expenses of the office of the Commissioners of His Majesty's Works and Public Buildings - - - - -	295,890	—
26A.	For the salaries and expenses of the office of the Lord Privy Seal - - - -	6,900	—
27.	For His Majesty's foreign and other secret services (including a supplementary sum of 200,000*l.*) - - - - - -	400,000	—
28.	For the salaries and expenses of the office of His Majesty's Secretary for Scotland and subordinate offices, expenses under the Inebriates Acts, 1879 to 1900, and expenses under the Private Legislation Procedure (Scotland) Act, 1899, and expenses under the National Registration Acts, 1915 and 1918 - -	37,010	2,010
29.	For the salaries and expenses of the Board of Agriculture for Scotland, including certain grants in aid and certain special services arising out of the war - - -	345,711	113,396
30.	For the salaries and expenses of the Fishery Board for Scotland, and for grants in aid of piers or quays, and certain special expenditure in connection with the purchase and storing of pickled herrings (including a supplementary sum of 1,131,000*l.*) - -	1,163,177	875
31.	For the salaries and expenses of the General Board of Control for Scotland - - -	47,734	480
32.	For the salaries and expenses of the department of the Registrar General of Births, &c., in Scotland - - - - - -	12,514	1,000
33.	For the salaries and expenses of the Local Government Board for Scotland, and also for expenses in respect of advances under the Housing Act, 1914, including certain special services arising out of the war - -	50,000	500
34.	For the salaries and expenses of the household of the Lord Lieutenant of Ireland - -	3,504	—
35.	For the salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland, in Dublin and London (including grants for the higher education of ex-officers, &c.), and of the Inspectors of Lunatic Asylums, and expenses under the Inebriates Acts - - - - - - -	79,604	286

SCHED. (B.) PART 12. Civil Services. Class II.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
36.	For the salaries and expenses of the department of agriculture and other industries, and technical instruction for Ireland, and of the services administered by that department including sundry grants in aid and the expenses of the Agricultural Wages Board for Ireland and certain special services in connection with food production - -	518,588	80,847
37.	For the salaries and expenses of the office of the Commissioners of Charitable Donations and Bequests for Ireland - - - - -	2,312	48
38.	For the Congested Districts Board for Ireland, including sundry grants in aid - - -	169,750	—
39.	For the salaries and expenses of the Local Government Board in Ireland, including sundry grants in aid, and including the cost of certain special services arising out of the war - - - - - - - - -	170,320	8,000
40.	For the salaries and expenses of the Public Record Office in Ireland, and of the Keeper of State Papers in Dublin - - - - -	9,945	—
41.	For the salaries and expenses of the Office of Public Works in Ireland - - - - -	56,757	2,500
42.	For the salaries and expenses of the department of the Registrar General of Births, &c., and for the expenses of collecting emigration statistics in Ireland - - - - -	16,595	1,000
43.	For the salaries and expenses of the general valuation and boundary survey of Ireland -	41,987	8,600
	TOTAL CIVIL SERVICES, CLASS II. - £	18,349,778	3,541,411

SCHEDULE (B.)—PART 13.

SCHED. (B.) PART 13. Civil Services. Class III.

CIVIL SERVICES.—CLASS III.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1920; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
1.	For the salaries of the law officers department, the salaries and expenses of the departments of His Majesty's Procurator-General, and of the Solicitor for the affairs of His Majesty's Treasury, and of the department of Director of Public Prosecutions, for the costs of prosecutions, of other legal proceedings, and of Parliamentary Agency - - - -	£ 225,132	£ 20,060
2.	For certain miscellaneous legal expenses, including grants in aid of the expenses of the Incorporated Law Societies of England and Ireland - - - - - - - -	53,314	—
3.	For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal as are not charged on the Consolidated Fund - - - - - -	345,044	67,670
4.	For the salaries and expenses of the office of Land Registry - - - - - - -	57,605	—
5.	For the salaries and expenses of the office of Public Trustee - - - - - - -	10	192,948
6.	For the salaries and expenses connected with the County Courts - - - - - -	309,277	155,000
7.	For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District, the contribution towards the expenses of the Metropolitan Police, the salaries and expenses of the Inspectors of Constabulary, and other Grants in respect of Police Expenditure (including a supplementary sum of 4,000,000*l.*) - - - - - - - -	5,983,337	111
8.	For the expenses of the prisons in England, Wales, and the Colonies, including a grant in aid of certain expenses connected with Discharged Prisoners - - - - - -	973,000	22,000
9.	For the salaries and expenses of the office of the Inspector of Reformatories and for the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools and in places of detention under the Children Act, 1908, in Great Britain - -	505,332	35,000
10.	For the maintenance of criminal lunatics in the Criminal Lunatic Asylums at Broadmoor and Rampton (including a supplementary sum of 7,366*l.*) - - - - -	84,241	1,092

SCHED. (B.) PART 13. Civil Services, Class III.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
11.	For the salaries and expenses of the Lord Advocate's department and other law charges, and the salaries and expenses of the Courts of Law and Justice in Scotland -	104,700	53,500
12.	For the salaries and expenses of the office of the Scottish Land Court - - -	9,798	—
13.	For the salaries and expenses of the offices in His Majesty's General Register House, Edinburgh - - - - -	56,314	—
13A.	For grants in respect of Police Expenditure in Scotland (including a supplementary sum of 530,000*l.*) - - - - -	850,000	—
14.	For the salaries and expenses of the Prison Commissioners for Scotland, and of the prisons under their control, including the maintenance of criminal lunatics, defectives, and inmates of the State inebriate reformatory, and the preparation of judicial statistics - - - - -	189,772	7,900
15.	For criminal prosecutions and other law charges in Ireland, including a Grant in relief of certain expenses payable by statute out of local rates - - - -	64,753	300
16.	For such of the salaries and expenses of the Supreme Court of Judicature and of certain other legal departments in Ireland as are not charged on the Consolidated Fund -	146,649	2,350
17.	For the salaries and expenses of the office of the Irish Land Commission - - -	922,335	43,800
18.	For the salaries, allowances, and expenses of various county court officers, and of magistrates in Ireland, and the expenses of revision - - - - -	125,911	4,600
19.	For the salaries and expenses of the Commissioner of Police, the police courts and the metropolitan police establishment of Dublin (including a supplementary sum of 103,000*l.*) - - - - -	306,044	60,847
20.	For the expenses of the Royal Irish Constabulary (including a supplementary sum of 849,329*l.*) - - - - -	3,034,552	61,000
21.	For the expenses of the General Prisons Board in Ireland, and of the establishments under their control; the registration of habitual criminals and the maintenance of criminal lunatics confined in district lunatic asylums	182,017	2,000
22.	For the expenses of reformatory and industrial schools in Ireland - - - -	125,874	2,800
23.	For the maintenance of criminal lunatics in the Dundrum Criminal Lunatic Asylum, Ireland - - - - -	14,246	—
	TOTAL CIVIL SERVICES, CLASS III. - £	14,669,257	732,978

SCHEDULE (B.)—PART 14.

SCHED. (B.) PART 14 Civil Services. Class IV.

CIVIL SERVICES.—CLASS IV.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1920; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Board of Education, and of the various establishments connected therewith, including sundry grants in aid (including a supplementary sum of 1,500,000*l.*)	32,853,111	3,035
2.	For the salaries and other expenses of the British Museum, and of the Natural History Museum, including certain grants in aid (including a supplementary grant of 10,000*l.*)	219,714	8,425
3.	For the salaries and expenses of the National Gallery, and of the National Gallery of British Art, Millbank, including a grant in aid for the purchase of pictures	34,167	500
4.	For the salaries and expenses of the National Portrait Gallery, including a grant in aid for the purchase of portraits	7,211	—
5.	For the salaries and expenses of the Wallace Collection	10,315	10
6.	For the salaries and expenses in respect of the London Museum, Lancaster House	4,400	—
7.	For the salaries and expenses of the Imperial War Museum, including a grant in aid of purchases (including a supplementary sum of 37,300*l.*)	64,500	—
8.	For sundry grants in aid of scientific investigation, &c., and other grants	113,974	—
9.	For the salaries and expenses of the Department of Scientific and Industrial Research, including the Fuel Research Station and the National Physical Laboratory	242,815	31,550
10.	For grants in aid of the expenses of certain Universities and Colleges in the United Kingdom, and of the expenses under the Welsh Intermediate Education Act, 1889	945,700	—
10A.	For special grants in aid of certain Universities, Colleges, Medical Schools, &c., to assist them to re-establish their work on a basis of unimpaired efficiency	500,000	—
10B.	For a grant in aid of the Serbian Relief Fund	25,000	—
11.	For public education in Scotland, and for Science and Art in Scotland	4,677,220	—
12.	For the salaries and expenses of the National Gallery, Scotland, the Scottish National Portrait Gallery, and the Museum of Antiquities, including a grant in aid for the purchase of pictures	8,887	—

SCHED. (B.) PART 14. Civil Services. Class IV.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
13.	For the expenses of the Commissioners of National Education in Ireland, including grants in aid of the Teachers Pension Fund, Ireland (including a supplementary sum of 451,280*l.*)	3,172,636	700
14.	For intermediate education in Ireland, including the Teachers' Salaries Grant	90,000	—
15.	For the expenses of the office of the Commissioners for managing certain school endowments in Ireland	892	—
16.	For the salaries and expenses of the National Gallery of Ireland	4,150	—
17.	For the salaries and expenses of the Institutions of Science and Art in Dublin, and of the Geological Survey of Ireland, and Annual Grants to Schools and Classes of Science and Art and Technical Instruction, including sundry Grants in Aid, administered by the Department of Agriculture and Technical Instruction for Ireland	190,498	1,870
18.	For grants under the Irish Universities Act, 1908	85,000	—
	TOTAL CIVIL SERVICES, CLASS IV. £	43,250,190	46,090

SCHED. (B.) PART 15. Civil Services. Class V.

SCHEDULE (B.)—PART 15.

CIVIL SERVICES.—CLASS V.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1920; viz.:—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For the expenses in connection with His Majesty's embassies, missions, and consular establishments abroad, and other expenditure chargeable to the Consular Vote (including a supplementary sum of 205,885*l.*)	1,970,682	155,920
2.	For sundry colonial services, including certain grants in aid	620,061	—
3.	For the subsidies to certain Telegraph Companies	15,300	—
4.	For a grant in aid of the Revenue of the Island of Cyprus	50,000	—
	TOTAL CIVIL SERVICES CLASS V. £	2,656,043	155,920

SCHED. (B.) PART 16. Civil Services, Class VI.

SCHEDULE (B.)—PART 16.

CIVIL SERVICES.—CLASS VI.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1920; viz.:—

No.		Sums not exceeding: Supply Grants. £	Sums not exceeding: Appropriations in Aid. £
1.	For superannuation, compensation, compassionate, and additional allowances, and gratuities under sundry Statutes, for compassionate allowances and gratuities awarded by the Treasury; and for the salaries of medical referees	859,649	—
2.	For certain miscellaneous expenses, including certain charitable and other allowances, Great Britain, and a grant in aid of the Empire Parliamentary Association (including a supplementary sum of 5,000*l.*)	42,021	11,200
3.	For hospitals and infirmaries and certain miscellaneous charitable and other allowances in Ireland, including sundry grants in aid	16,738	—
4.	For the salaries and other expenses of Temporary Commissions, Committees, and Special Inquiries	175,000	—
5.	For making good certain sums written off from the assets of the Local Loans Fund	5,011	—
6.	For the Ireland Development Grant (Grant in Aid) and for other purposes of development and reconstruction in Ireland	415,000	—
7.	For a grant in aid of the Government Hospitality Fund	200,000	—
8.	For expenses under the Representation of the People Act, 1918	500,000	—
9.	For a grant in aid of the Development Fund	1,000,000	—
10.	For a grant in aid of the Road Improvement Fund	8,250,000	—
11.	Mission of His Royal Highness the Prince of Wales to Canada (Grant in Aid)	5,000	—
12.	For repayment to the Civil Contingencies Fund of certain miscellaneous advances	45,696	—
	TOTAL CIVIL SERVICES, CLASS VI. £	11,514,115	11,200

SCHED. (B.) PART 17.
Civil Services. Class VII.

SCHEDULE (B.)—PART 17.

CIVIL SERVICES.—CLASS VII.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1920; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For Old Age Pensions in the United Kingdom, and for certain administrative expenses in connection therewith, and for certain special charges arising out of the war, including additional allowances to Old Age Pensioners	17,892,000	4,500
2.	For the salaries and expenses of the National Health Insurance Joint Committee, including sundry grants in aid (including a supplementary sum of 506,000*l.*) - - -	1,570,605	—
3.	For the salaries and expenses of the Insurance Commission (England), and for sundry contributions and grants in respect of the cost of benefits and expenses of administration under the National Insurance (Health) Acts, 1911 to 1918 (including certain grants in aid) - - - - - -	1,900,000	—
3A.	For the salaries and expenses of the Ministry of Health, including sundry contributions and grants in respect of benefits and expenses of administration under the National Health Insurance Acts, 1911 to 1918, certain grants in aid, and certain special services arising out of the war - - -	6,650,590	8,129
4.	For the salaries and expenses of the Insurance Commission (Wales), and for sundry contributions and grants in respect of the cost of benefits and expenses of administration under the National Insurance (Health) Acts, 1911 to 1918 (including certain grants in aid) - - - - - -	180,000	—
5.	For the salaries and expenses of the Insurance Commission (Scotland), and for sundry contributions and grants in respect of the cost of benefits and expenses of administration under the National Insurance (Health) Acts, 1911 to 1918 (including certain grants in aid) - - - - - -	350,000	—
5A.	For the salaries and expenses of the Scottish Board of Health, including expenses in respect of advances under the Housing Act, 1914, sundry contributions and grants in respect of benefits and expenses of administration under the National Insurance (Health) Acts, 1911 to 1918, certain grants in aid, and certain special services arising out of the war - - - -	773,037	32,750

SCHED. (B.) PART 17. Civil Services. Class VII.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
6.	For the salaries and expenses of the Insurance Commission (Ireland), and for sundry contributions and grants in respect of the cost of benefits and expenses of administration under the National Insurance (Health) Acts, 1911 to 1918 (including certain grants in aid)	433,745	—
7.	For the salaries and expenses of the Ministry of Labour and Subordinate Departments (including a supplementary sum of 4,000,000*l.*)	7,435,053	100
8.	For the salaries and expenses of the audit staff under the National Insurance Act, 1911	150,400	—
9.	For grants towards the cost of the extension of sanatorium benefit to the dependants of insured persons under the National Insurance Act, 1911, and of the treatment of tuberculosis generally	850,000	—
10.	For the expenses of the Highlands and Islands (Medical Service) Board, and for a grant in aid of the Highlands and Islands Medical Service	1,000	—
11.	For making good the deficiency on the Income Account of the Fund for Friendly Societies	14,835	—
	TOTAL CIVIL SERVICES, CLASS VII. £	38,201,265	45,479

SCHEDULE (B.)—PART 18.

SCHED (B.) PART 18. Unclassified Services.

UNCLASSIFIED SERVICES.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1920; viz.:—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For the expenses of the Ministry of Munitions	1,000	185,068,000
2.	For the expenses of the Ordnance Factories, the cost of the production of which will be charged to the Ministry of Munitions	100	8,932,000
3.	For the salaries and expenses of the Ministry of Pensions, and for sundry contributions in respect of the administration of the Ministry of Pensions Act, 1916 (including a supplementary sum of 32,044,000*l.*)	104,899,000	1,000

SCHED. (B.) PART 18. Unclassified Services.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
4. For the salaries and expenses of the Ministry of Food	2,751,700	12,300
5. For the salaries and expenses of the Ministry of Shipping	1,497,203	84,000,000
6. For the salaries and expenses of the Ministry of National Service	167,588	—
7. For the salaries and expenses of the Ministry of Reconstruction	60,878	—
8. For the salaries and expenses of the Department of Civil Demobilisation and Resettlement of the Ministry of Labour, including out-of-work donation and the contribution to the Unemployment Insurance Fund and repayments to associations pursuant to sections 85 and 106 of the National Insurance Act, 1911, and the National Insurance (Part II.) (Munition Workers) Act, 1916, and grants for the training of demobilised officers (including a supplementary sum of 11,000,000*l.*)	41,873,593	570,000
9. For the salaries and expenses of the National War Savings Committee	115,540	—
10. For the salaries and expenses of the War Trade Department	30,000	—
11. For the salaries and expenses of the Restriction of Enemy Supplies Department	20,164	—
12. For the salaries and expenses of the Commission Internationale de Ravitaillement	75,016	—
13. For the salaries and expenses of the Central Control Board (Liquor Traffic), including the cost of acquisition and direct control of licensed premises and businesses and the provision of canteens	316,350	—
14. For the salaries and expenses of the Imperial War Graves Commission formed under Royal Charter 10th May 1917	1,404,347	—
15. For the salaries and expenses of the Military Service (Civil Liabilities) Department and for the payment of grants for assisting officers and men of H.M. forces in cases of serious hardship to meet certain financial obligations, and of grants to facilitate their re-instatement in civil life (including a supplementary sum of 2,400,000*l.*)	6,342,103	—
16. For a Grant-in-aid of the Royal Patriotic Fund	156,135	—
17. For loans to the Government of British Dominions and of Allied Countries, and for loans and grants for purposes of reconstruction and relief in War Areas (including a supplementary sum of 60,000,000*l.*)	147,500,000	—
18. For expenditure arising from the Government control of railways in Great Britain and Ireland under the Regulation of the Forces Act, 1871 (including a supplementary sum of 10*l.*)	60,000,010	—

SCHED. (B.) PART 18. Unclassified Services.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
18A.	For expenditure in respect of refunds of excess cost of conveyance by coastwise transport over transport by rail and of Dock Congestion Relief	1,110,200	9,000
19.	For compensation to Canal Companies and Canal Carriers in the United Kingdom arising out of Government control, and for advances to Crinan and Caledonian Canals (including a supplementary sum of 294,500*l.*)	1,244,500	—
20.	For the cost of the Bread Subsidy	50,000,000	—
21.	For expenses connected with the Treasury Securities Deposit Scheme	1,875,407	—
22.	For *ex gratia* grants in respect of losses and injuries sustained in the rebellion in Ireland	250,000	—
23.	For the cost of certain miscellaneous war services (including a supplementary sum of 4,488,500*l.*)	8,073,500	—
24.	For the cost of building materials and of the purchase and adaptation of houses for the housing of the working classes in England and Wales (including a supplementary sum of 10*l.*)	5,500,010	4,999,990
25.	For the cost of building materials for the housing of the working classes in Scotland	1,500,000	500,000
26.	To meet the deficiency arising under the Coal Mines Control Agreement (Confirmation) Act, 1918, and the cost of carrying out the recommendations contained in the interim report of the Chairman of the Coal Industry Commission, dated 20th March, 1919, and for kindred purposes	26,400,000	—
	TOTAL	463,164,344	284,092,290

SCHED. (B.) PART 19. Revenue Departments, &c.

SCHEDULE (B.)—PART 19.

REVENUE DEPARTMENTS, &c.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several REVENUE DEPARTMENTS, &c., herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1920: viz.:—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in aid.
		£	£
1.	For the salaries and expenses of the Customs and Excise Department and certain special charges arising out of the war - - -	4,091,664	141,850
2.	For the salaries and expenses of the Inland Revenue Department - - - - -	4,445,380	10,000
3.	For the salaries and expenses of the Post Office, including Telegraphs and Telephones (including a supplementary sum of 170,000*l.*)	41,443,922	596,400
	TOTAL REVENUE DEPARTMENTS - £	49,980,966	748,250

SCHED. (B.) PART 20. Naval, Military and Air Forces (Grants to Officers).

SCHEDULE (B.)—PART 20.

NAVAL, MILITARY AND AIR FORCES (GRANTS TO OFFICERS).

Grants to those Officers who commanded and directed His Majesty's Forces by sea, on land, and in the air, in recognition of their eminent services during the late war, namely:—

	£
Navy—	
Admiral of the Fleet Sir David Beatty - - -	100,000
Admiral of the Fleet Viscount Jellicoe - - -	50,000
Admiral Sir Charles E. Madden - - -	10,000
Admiral Sir F. C. Doveton Sturdee - - -	10,000
Rear-Admiral Sir Roger J. B. Keyes - - -	10,000
Vice-Admiral Sir John de Robeck - - -	10,000
Commodore Sir Reginald Y. Tyrwhitt - - -	10,000
Army—	
Field Marshal Sir Douglas Haig - - - -	100,000
Field Marshal Viscount French - - - -	50,000
Field Marshal Sir Edmund Allenby - - -	50,000
Field Marshal Sir Herbert Plumer - - -	30,000
Field Marshal Sir Henry Wilson - - - -	10,000
General Sir Henry Rawlinson - - - -	30,000
General the Hon. Sir Julian Byng - - -	30,000
General Sir Henry Horne - - - - -	30,000
General Sir William Robertson - - - -	10,000
General Sir William Birdwood - - - -	10,000
Lieutenant-Colonel Sir Maurice Hankey - -	25,000
Air—	
Air Vice-Marshal Sir Hugh Trenchard - -	10,000
Total -	585,000

SCHEDULE (C.)

SCHED. (C.) Navy Services. Section 5.

Number of Vote.	NAVY SERVICES, 1917-18. VOTES.	Actual Receipts compared with Estimated Appropriations in Aid. Surpluses.	Deficits.
		£ s. d.	£ s. d.
1	Wages, &c., of Officers, Seamen, and Boys, Coast-guard, and Royal Marines	—	12,856,075 13 9
7	Royal Naval Reserves -	—	90 6 11
2 to 6 and 8 to 15	Other Navy Votes - -	19,389,910 8 2	—
	Add Surplus Appropriations in Aid not appriated by Parliament	—	10 0 0
		19,389,910 8 2	12,856,176 0 8
		£6,533,734 7 6	

Army Services.

Number of Vote.	ARMY SERVICES, 1917-18. VOTES.	Actual Receipts compared with Estimated Appropriations in Aid. Surpluses.	Deficits.
		£ s. d.	£ s. d.
1	Pay, &c., of the Army -	—	66,902,919 15 6
3	Special Reserve - -	—	100 0 0
15	Civil Superannuation, Compensation, and Gratuities	—	45 5 7
2 and 4 to 14.	Other Army Votes - -	32,061,647 5 0	—
		32,061,647 5 0	66,903,065 1 1
		£34,841,417 16 1	

CHAPTER 89.

An Act to make provision with regard to wills deposited under section twenty-one of the Regimental Debts Act, 1893, with the Commissary Clerk of the County of Edinburgh, and required for the purpose of confirmation as executor or of completing a title to heritable estate in Scotland. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) Where the will of any person has been or shall hereafter be deposited, under section twenty-one of the Regimental Debts Act, 1893, in the office of the Commissary Clerk of the Commissary Court of the county of Edinburgh, and an application for delivery of such will is presented to the Commissary Clerk either by a sheriff clerk stating that the same is required for the purpose of the confirmation of an executor of such person, or by a law-agent (within the meaning of the Law Agents (Scotland) Act, 1873), who shall send with his application a declaration signed by himself that the will is required on behalf of a client therein named, and designed for the purpose of completing a title to heritable estate in Scotland the Commissary Clerk shall, notwithstanding anything contained in the said section, deliver the said will to such sheriff clerk or to such law-agent, as the case may be, on receiving a receipt therefor from such sheriff clerk or law-agent, which receipt shall be preserved and dealt with by the Commissary Clerk in like manner as a will deposited in pursuance of the said section.

56 & 57 Vict. c. 5.

36 & 37 Vict. c. 63.

(2) The power of the Court of Session under subsection (4) of the said section to make rules or orders and to fix fees, shall include power to make rules or orders and to fix fees with regard to the delivery of wills by the Commissary Clerk and to the receipts granted therefor in pursuance of the foregoing subsection.

2. This Act may be cited as the Regimental Debts (Deposit of Wills) (Scotland) Act, 1919.

CHAPTER 90.

An Act to amend the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915, and the enactments amending that Act, in relation to orders for possession and ejectment. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Orders for possession.

1.—(1) After the passing of this Act no order or judgment for the recovery of possession of a dwelling-house to which the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915 (hereinafter called the principal Act), or any of the Acts amending the same applies, or for the ejectment of a tenant therefrom, shall be made or given, so long as the tenant continues to pay rent at the agreed rate as modified by the principal Act

5 & 6 Geo. 5. c. 97.

or any of the Acts amending the same and performs the other conditions of the tenancy, unless—

(*a*) the tenant has committed waste or has been guilty of conduct which is a nuisance or an annoyance to adjoining or neighbouring occupiers, and the court considers it reasonable to make such an order or give such judgment; or

(*b*) the tenant, by sub-letting the dwelling-house or any part thereof, or by taking in lodgers, is making a profit which, having regard to the rent paid by the tenant, is unreasonable, and the court considers it reasonable to make such an order or give such judgment; or

(*c*) the premises are reasonably required by the landlord for the occupation of himself or some other person in his employ, or in the employ of some tenant from him, and the court, after considering all the circumstances of the case, including especially the alternative accommodation available for the tenant, considers it reasonable to make such an order or give such judgment.

(2) At the time of making any order or giving any judgment for the recovery of possession of any such dwelling-house or for the ejectment of a tenant therefrom, or in the case of any such order or judgment which has been made or given, whether before or after the passing of this Act, and not executed, at any subsequent time, the court may, if the order or judgment was made or given on the ground that the premises were reasonably required as aforesaid, stay or suspend execution thereof, or postpone the date of possession, for such period or periods as it shall think fit, either unconditionally or subject to such conditions in regard to payment by the tenant of rent or mesne profits and otherwise as the court shall think fit, and, if such conditions are complied with, the court may, if it shall think fit, discharge or rescind such order or judgment.

(3) Where any order or judgment has been made or given before the passing of this Act, but not executed, and in the opinion of the court the order or judgment would not have been made or given if this Act had been in force at the time when such order or judgment was made or given, the court may, on application by the tenant, rescind or vary such order or judgment in such manner as the court may think fit for the purpose of giving effect to this Act.

(4) Notwithstanding anything in section one hundred and forty-three of the County Courts Act, 1888, every warrant for delivery of possession of a dwelling-house to which the principal Act or any Act amending the same applies, shall remain in force for three months from the day next after the last day named in the judgment or order for delivery of possession or

51 & 52 Vict. c. 43.

ejectment, and for such further period or periods, if any, as the court shall from time to time, whether before or after the expiration of such three months, direct.

(5) This Act shall not apply to a dwelling-house let at a rent which includes payments in respect of board, attendance, or use of furniture.

(6) In the application of this section to Scotland a reference to profits shall be substituted for the reference to mesne profits.

Short title, construction and repeal.

2.—(1) This Act may be cited as the Increase of Rent, &c. (Amendment) Act, 1919, and shall remain in force until the first day of July nineteen hundred and twenty, and shall be construed as one with the principal Act.

(2) The enactments set out in the Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

Section 2.

SCHEDULE.

Session and Chapter.	Short Title.	Extent of Repeal.
5 & 6 Geo. 5. c. 97.	Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915.	S. 1 (3).
8 Geo. 5. c. 7.	Increase of Rent, &c. (Amendment) Act, 1918.	The whole Act.
9 Geo. 5. c. 7.	Increase of Rent and Mortgage Interest (Restrictions) Act, 1919.	S. 5 (2).

CHAPTER 91.

An Act to provide for the constitution of a Ministry of Agriculture and Fisheries and of Councils and Committees in connection with agriculture, and to amend the Board of Agriculture and Fisheries Acts, 1889 to 1909. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

CONSTITUTION OF MINISTRY OF AGRICULTURE AND FISHERIES.

Substitution of Ministry of Agriculture

1.—(1) It shall be lawful for His Majesty to appoint a Minister of Agriculture and Fisheries who shall hold office

during His Majesty's pleasure, and from and after the date of the first appointment any reference in any Act or document to the Board of Agriculture and Fisheries, or to the President of that Board, shall be construed as a reference to the Minister or the Ministry of Agriculture and Fisheries, as the context may require. and Fisheries for Board of Agriculture and Fisheries.

(2) For the purpose of acquiring and holding land or other property the Minister for the time being shall be a corporation sole by the name of the Minister of Agriculture and Fisheries, and all property transferred to the Minister by this Act or otherwise vested in the Minister shall (except where and to such extent as the property is held on other trusts) be held in trust for His Majesty for the purposes of the Ministry of Agriculture and Fisheries.

(3) Upon and by virtue of the appointment of any person to be Minister the benefit of all deeds, contracts, bonds, securities, or things in action vested in his predecessor at the time of his predecessor ceasing to hold office shall be transferred to and vested in and enure for the benefit of the person so appointed, in the same manner as if he had been contracted with instead of his predecessor, and as if his name had been inserted in all such deeds, contracts, bonds, or securities instead of the name of his predecessor. For the purposes of this provision, the Board shall be deemed to be the predecessor of the person first appointed to be the Minister.

(4) Section one of the Board of Agriculture Act, 1889, is hereby repealed. 52 & 53 Vict. c. 30.

PART II.

COUNCILS AND ADVISORY COMMITTEES FOR ENGLAND AND WALES.

2.—(1) For the purpose of assisting the Board of Agriculture and Fisheries (in this Act referred to as the Board) in executing their powers and duties, there shall be established— Constitution of councils and committees.

(*a*) a Council of Agriculture for England;

(*b*) a Council of Agriculture for Wales;

(*c*) an Agriculture Advisory Committee for England and Wales.

(2) The Council of Agriculture for England and the Council of Agriculture for Wales may from time to time by agreement act together as one Council.

(3) The various councils and committees above referred to shall be constituted as provided by the First Schedule to this Act.

3. Each Council of Agriculture shall meet at least twice a year for the purpose of discussing matters of public interest relating to agriculture or other rural industries, and such meetings shall be held in public. Duties of Councils of Agriculture.

Duties and powers of Agricultural Advisory Committee.

4. The Agricultural Advisory Committee shall advise the Board with respect to all matters and questions submitted to them in relation to the exercise by the Board of any powers or duties which do not relate to the industry of fishing, and shall be at liberty to make recommendations to the Board in relation to other matters affecting agriculture or other rural industries.

Supplementary provisions as to councils and committees.

5.—(1) The Board may make general regulations for regulating the proceedings for the appointment of the members of each council and committee established by this Part of this Act, and the number of meetings and the mode of convening them and the proceedings and quorum of each council and committee, and the appointing body, council, or committee shall act in accordance with those regulations.

(2) The President of the Board, or, in his absence, the parliamentary secretary of the Board, shall be entitled to attend any meeting of the advisory committee established by this Part of this Act and to act as chairman of the meeting, but shall not vote at any meeting of the committee.

(3) The Board may require any of their officers to act as secretary or other officer of a council or committee established by this Part of this Act.

(4) Any regulation made under this Act shall be laid before both Houses of Parliament forthwith; and if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-eight days on which that House has sat after any such regulation is laid before it praying that the regulation may be annulled, it shall henceforth be void, but without prejudice to the validity of anything previously done thereunder or the making of a new regulation.

(5) The expenses of any council or committee established by this Part of this Act shall, to such extent as may be sanctioned by the Board, with the consent of the Treasury, be defrayed by the Board out of moneys provided by Parliament; and such expenses may include such sums as the Board think reasonable for the travelling expenses and subsistence allowance of the members of the council or committee.

Provision as to Monmouthshire.

6. For the purposes of this Act, Monmouthshire shall be included in Wales and not in England.

PART III.

COUNTY AGRICULTURAL COMMITTEES.

Constitution of committees.

7.—(1) The council of every county (other than the London County Council) shall, and the London County Council and the council of any county borough may, establish an agricultural committee constituted in accordance with a scheme made by the council and approved by the Board. A committee may consist partly of persons who are not members of the council.

(2) All matters relating to the exercise by the council of their powers under any Act specified in the Second Schedule to this Act, and all other matters relating to agriculture, except such matters as under the Education Act, 1902, stand referred to the education committee, and, except the raising of a rate or borrowing, shall stand referred to the agricultural committee, and the council, before exercising their powers in relation to any matter so referred, shall, unless in their opinion the matter is urgent, receive and consider the report of the agricultural committee with respect to the matter in question : 2 Edw. 7. c. 42.

Provided that—

(i) on the application of the council the Board, after consultation with the Board of Education, may by order direct that any matter specified in the order and relating to agricultural education which but for this provision would stand referred to the education committee shall stand referred to the agricultural committee ; and

(ii) if the London County Council or the council of a county borough so resolve matters relating to any of their powers under any Act specified in the said schedule shall not stand so referred to the agricultural committee.

(3) The council may delegate to the agricultural committee with or without any restrictions or conditions any of their powers in relation to matters which by virtue of this section stand referred to the committee, and, if so provided by the scheme, any powers so delegated may in like manner be delegated by the agricultural committee to a sub-committee. A sub-committee may consist partly of persons who are not members of the council or of the agricultural committee.

(4) Every scheme under this section shall provide—

(*a*) for the appointment by the council of at least a majority of the agricultural committee, and the persons so appointed shall be persons who are members of the council, unless, in the case of a county, the council otherwise determine ;

(*b*) for the appointment by the Board of not more than one third of the members of the agricultural committee, and of any sub-committee to which powers of the agricultural committee are delegated ;

(*c*) for the inclusion of women as well as men among the members of the agricultural committee ;

(*d*) for the appointment, in the case of the council of every county (other than the London County Council), of such persons only as have practical, commercial, technical, or scientific knowledge of agriculture or an interest in agricultural land.

(5) Any scheme under this section may provide for the payment as part of the expenses of the agricultural committee of travelling expenses and subsistence allowance of members of the committee or of any sub-committee of the committee.

(6) Any scheme under this section may, for all or any of the purposes of this section, provide for a joint agricultural committee for any area formed by a combination of counties or county boroughs or parts thereof.

(7) If a scheme under this section has not been made by a council of a county (other than the London County Council) and approved by the Board within six months after the passing of this Act, the Board may, after consultation with the council, make a scheme for the purposes for which a scheme might have been made by the council.

Additional powers of committees.

8.—(1) The Board may authorise, subject to any restrictions or conditions they think fit, an agricultural committee or a sub-committee thereof to exercise on behalf of the Board any of the powers of the Board under the provisions of Part IV. of the Corn Production Act, 1917, or Part II. of the Land Drainage Act, 1918, notwithstanding that the committee or sub-committee is not constituted in accordance with those provisions, or any powers of the Board in relation to land acquired by them under the Small Holding Colonies Acts, 1916 and 1918.

7 & 8 Geo. 5. c. 46. 8 & 9 Geo. 5. c. 17.

6 & 7 Geo. 5. c. 38. 8 & 9 Geo. 5. c. 26.

(2) The agricultural committee shall appoint a small holdings and allotments sub-committee and a diseases of animals sub-committee, who shall respectively act as the small holdings and allotments committee required to be established under section fifty of the Small Holdings and Allotments Act, 1908, and as the executive committee appointed under the Diseases of Animals Act, 1894, though the sub-committee may not be constituted in accordance with the provisions of those Acts. Any power of the county council or borough council exerciseable under the Small Holdings and Allotments Act, 1908, or any Act amending the same (except the power to raise a rate or loan) shall be exerciseable by the sub-committee so appointed until the thirty-first day of March nineteen hundred and twenty-six, notwithstanding that the exercise of such power has not been delegated to the sub-committee under the preceding section.

8 Edw. 7. c. 36. 57 & 58 Vict. c. 57.

(3) The small holdings and allotments sub-committee shall comprise one or more members as representing tenants of small holdings and allotments.

(4) A county agricultural committee (other than an agricultural committee for the administrative county of London) shall make such inquiries as appear to them to be desirable with a view to formulating schemes for the development of rural industries and social life in rural places, and for the co-ordination of action by local authorities and other bodies by which such development may be effected, and shall report the result of such inquiries to the Board and to any local authority or body

concerned, and the expenses incurred by the committee under this subsection to such amount as may be sanctioned by the Board with the approval of the Treasury shall be defrayed by the Board.

Audit of accounts.

9.—(1) The accounts of an agricultural committee and of their officers shall be audited as part of the accounts of the council by whom the committee is established.

(2) Where a joint agricultural committee is formed for an area, including a county or any part of a county, the accounts of the joint committee and of their officers shall be audited as if the joint committee were a county council, and the enactments relating to the audit of accounts of county councils shall apply accordingly.

(3) The accounts of any sub-committee of an agricultural committee or joint agricultural committee to which this section applies shall be deemed to be accounts of the agricultural committee or joint agricultural committee.

Interpretation.

10. In this Act the expression "agriculture" includes horticulture and forestry, and the expression "rural industries" means local industries connected with agriculture.

PART IV.

GENERAL.

Short title and extent.

11.—(1) This Act may be cited as the Ministry of Agriculture and Fisheries Act, 1919, and the Board of Agriculture and Fisheries Acts, 1889 to 1909, and this Act may be cited together as the Ministry of Agriculture and Fisheries Acts, 1889 to 1919.

(2) This Act shall not extend to Scotland or Ireland.

SCHEDULES.

Section 2.

FIRST SCHEDULE.

Composition of councils and committees.

1.—(1) The Council of Agriculture for England shall consist of the following members :—

(*a*) Two members of each Agricultural Committee established by a council of a county and one member of each Agricultural Committee established by a county borough in England to be nominated by the committee :

Provided that, if the Agricultural Committees established by councils of county boroughs shall exceed twelve in number, the total number of members nominated by those committees shall be twelve and the members shall be nominated by the committees in such manner as the Board may by regulation prescribe :

(*b*) Six members of the Agricultural Wages Board to be nominated by that Board, provided that the representatives of workmen shall be three in number :

(*c*) Thirty-six persons nominated by the Board, of whom not less than eight shall be representative of workmen engaged in agriculture, not less than four owners of agricultural land, not less than four tenants of such land, not less than three women, not less than six representative of the industry of horticulture, and not less than three representative of agricultural education or research.

(2) The Council of Agriculture for Wales shall consist of the following members :—

(*a*) Two members of each Agricultural Committee established by a council of a county and one member of each Agricultural Committee established by a county borough in Wales to be nominated by the committee :

Provided that, if the Agricultural Committees established by councils of county boroughs shall exceed six in number the total number of members nominated by those committees shall be six, and the members shall be nominated by the committees in such manner as the Board may by regulation prescribe :

(*b*) Five persons nominated by the governing body of the University of Wales :

(*c*) Two members of the Agricultural Wages Board to be nominated by that Board in equal numbers from the representatives of employers and workmen :

(*d*) Twelve persons nominated by the Board, of whom not less than five shall be representative of workmen engaged in agriculture, not less than two owners of agricultural land, not less than two tenants of such land, and not less than two women.

(3) The Agricultural Advisory Committee shall consist of the following members :—

(*a*) Five of the members of the Council of Agriculture for England who have been nominated by the Agricultural Committees to be nominated by the whole body of such members representing the Agricultural Committees :

(*b*) Five of the members of the Council of Agriculture for England who have been nominated by the Board to be nominated by the whole body of such members, and so that one of the persons so nominated shall be an owner and one shall be a tenant of agricultural land, and one shall be representative of workmen engaged in agriculture, one shall be a woman, one shall be representative of agricultural education or research :

(*c*) Two members to be nominated by the Board representing respectively employers and workmen :

(*d*) Two members of the Council of Agriculture for Wales to be nominated by that council :

(*e*) Two members to be nominated by the Secretary for Scotland, who shall be entitled to attend and vote only in relation to matters and questions arising under the Diseases of Animals Acts, 1874 to 1914.

(4) The Board may by regulation vary the constitution of any such council or committee.

Term of office of members of councils and committees.

2.—(1) Subject to the provisions of any regulations made under this Act, the term of office of a member of a council or committee shall be four years, provided that—

(*a*) of the first members of each council or committee one half, or if the total is not divisible by two, the larger half shall hold office for two years only, and the determination of the members so to retire shall be prescribed by regulations made by the Board which, so far as practicable, shall secure that the retirements affect equally all interests represented on the council or committee;

(*b*) a member shall cease to hold office if he ceases to be qualified for nomination by the body by which he was nominated;

(*c*) any member may retire by notice in writing to the secretary of the council or committee;

(*d*) a casual vacancy shall be filled by nomination by the body which nominated the member causing the vacancy, and any person so nominated shall act only for the unexpired portion of the term of office of his predecessor.

(2) A council or committee may act notwithstanding any vacancy in the membership thereof.

SECOND SCHEDULE.

Section

Destructive Insects and Pests Acts, 1877 and 1907.
Diseases of Animals Acts, 1894 to 1914.
Fertilisers and Feeding Stuffs Act, 1906.
Land Drainage Act, 1918.
Small Holdings and Allotments Act, 1908.

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CHAPTER 92.

An Act to continue and extend the provisions of the Aliens Restriction Act, 1914. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

CONTINUANCE AND EXTENSION OF EMERGENCY POWERS.

Continuance of emergency powers. 4 & 5 Geo. 5. c. 12.

1.—(1) The powers which under subsection (1) of section one of the Aliens Restriction Act, 1914 (which Act, as amended by this Act, is hereinafter in this Act referred to as the principal Act), are exerciseable with respect to aliens at any time when a state of war exists between His Majesty and any foreign power, or when it appears that an occasion of imminent national

danger or great emergency has arisen, shall, for a period of one year after the passing of this Act, be exerciseable, not only in those circumstances, but at any time; and accordingly that subsection shall, for such period as aforesaid, have effect as though the words "at any time when a state of war exists "between His Majesty and any foreign power, or when it "appears that an occasion of imminent national danger or "great emergency has arisen" were omitted.

(2) Any order made under the principal Act during the currency of this section shall be laid before each House of Parliament forthwith, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat after any such order is laid before it praying that the order may be annulled, His Majesty in Council may annul the order, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder:

Provided that this provision shall not apply in the case of an order the operation of which is limited to a time when a state of war exists between His Majesty and any foreign power, or when it appears that an occasion of imminent national danger or great emergency has arisen.

Extension of powers.

2.—(1) Subsection (1) of section one of the principal Act shall be amended by the addition at the end thereof of the following paragraph:—

(*l*) for determining what nationality is to be ascribed to aliens in doubtful circumstances, and for disregarding, in the case of any person against whom a deportation or expulsion order has been made, any subsequent change of nationality.

(2) For the purpose of enforcing the provisions of any Treaty of Peace concluded or to be concluded between His Majesty and any Power with which His Majesty was at war in the year nineteen hundred and eighteen, His Majesty may by Order in Council under the principal Act make regulations requiring information to be given as to the property, liabilities, and interests of former enemy aliens, and for preventing (without notice or authority) the transfer of or other dealings with the property of such aliens.

FURTHER RESTRICTIONS OF ALIENS.

Incitement to sedition, &c.

3.—(1) If any alien attempts or does any act calculated or likely to cause sedition or disaffection amongst any of His Majesty's Forces or the forces of His Majesty's allies, or amongst the civilian population, he shall be liable on conviction on indictment to penal servitude for a term not exceeding ten years, or on summary conviction to imprisonment for a term not exceeding three months.

(2) If any alien promotes or attempts to promote industrial unrest in any industry in which he has not been bonâ fide engaged for at least two years immediately preceding in the United Kingdom, he shall be liable on summary conviction to imprisonment for a term not exceeding three months.

Pilotage certificates.

4. No alien shall hold a pilotage certificate for any pilotage district in the United Kingdom; except that the provisions of section twenty-four of the Pilotage Act, 1913, shall continue to apply to the renewal and issue of certificates entitling a master or mate of French nationality to navigate his ship into the ports of Newhaven or Grimsby. 2 & 3 Geo. 5. c. 31.

Employment of aliens in ships of the mercantile marine.

5.—(1) No alien shall act as master, chief officer, or chief engineer of a British merchant ship registered in the United Kingdom, or as skipper or second hand of a fishing boat registered in the United Kingdom, except in the case of a ship or boat employed habitually in voyages between ports outside the United Kingdom:

Provided that this prohibition shall not apply to any alien who has acted as a master, chief officer, or chief engineer of a British ship, or as skipper or second hand of a British fishing boat, at any time during the war, and is certified by the Admiralty to have performed good and faithful service in that capacity.

(2) No alien shall be employed in any capacity on board a British ship registered in the United Kingdom at a rate of pay less than the standard rate of pay for the time being current on British ships for his rating:

Provided that, where the Board of Trade are satisfied that aliens of any particular race (other than former enemy aliens) are habitually employed afloat in any capacity, or in any climate, for which they are specially fitted, nothing in this section shall prejudice the right of aliens of such race to be employed upon British ships at rates of pay which are not below those for the time being fixed as standard rates for British subjects of that race.

(3) No alien shall be employed in any capacity on board a British ship registered in the United Kingdom unless he has produced to the officer before whom he is engaged satisfactory proof of his nationality.

(4) Any person who engages an alien for employment on a British ship in contravention of the provisions of this section shall be guilty of an offence under this Act.

Appointment of aliens to the Civil Service.

6. After the passing of this Act no alien shall be appointed to any office or place in the Civil Service of the State.

Restriction of change of name by aliens.

7.—(1) An alien shall not for any purpose assume or use or purport to assume or use or continue after the commencement of this Act the assumption or use of any name other than that

by which he was ordinarily known on the fourth day of August nineteen hundred and fourteen.

(2) Where any alien carries on or purports or continues to carry on, or is a member of a partnership or firm which carries on, or which purports or continues to carry on any trade or business in any name other than that under which the trade or business was carried on on the fourth of August nineteen hundred and fourteen, he shall, for the purpose of this section, be deemed to be using or purporting or continuing to use a name other than that by which he was ordinarily known on the said date.

(3) A Secretary of State may, if it appears desirable on special grounds in any particular case, grant an exemption from the provisions of this section, but shall not do so unless he is satisfied that the name proposed to be assumed, used, or continued is in the circumstances of the case a suitable name.

(4) Nothing in this section shall—

(*a*) affect the assumption or use or continued assumption or use of any name in pursuance of a royal licence; or

(*b*) affect the continuance of the use by any person of a name which he has assumed before the commencement of this Act if he has been granted an exemption under the Defence of the Realm regulations or the Aliens Restriction Order in force on the first day of January nineteen hundred and nineteen; or

(*c*) prevent the assumption or use by a married woman of her husband's name.

(5) A fee of ten guineas shall be paid by any alien on obtaining an exemption under this section; but the Secretary of State may remit the whole or any part of such fee in special cases.

(6) A list of the persons to whom the Secretary of State has granted an exemption under this section shall be published in the Gazette as soon as may be after the granting of the exemption.

(7) Any person to whom any such exemption is granted shall, unless the Secretary of State shall expressly dispense with such publication, within one calendar month thereafter publish at his own expense, in some paper circulating in the district in which he resides, an advertisement stating the fact that the exemption has been granted.

Provisions as to aliens on juries.

8. No alien shall sit upon a jury in any judicial or other proceedings if challenged by any party to such proceedings.

SPECIAL PROVISIONS AS TO FORMER ENEMY ALIENS.

Deportation of former enemy aliens.

9.—(1) Every former enemy alien who is now in the United Kingdom and to whom this section applies shall be deported forthwith unless the Secretary of State on the recommendation of the advisory committee, to be constituted under this section, shall grant him a licence to remain.

(2) The Secretary of State may, if he is satisfied on the recommendation of the said advisory committee that there is no reason to the contrary, grant such licence, subject to such terms and conditions (if any) as he shall think fit.

(3) This section shall apply to any former enemy alien now in the United Kingdom (not being a former enemy alien exempted from internment or repatriation on the recommendation of any advisory committee appointed after the 1st day of January nineteen hundred and eighteen and before the passing of this Act) as to whom there shall be delivered to the Secretary of State, within two months after the passing of this Act, a statement in writing signed by any credible person to the effect that the continued residence in the United Kingdom of that alien is, for reasons relating to the alien, undesirable in the public interest, and giving particulars of the allegations upon which such reasons are based.

(4) The Secretary of State shall refer all such statements to the advisory committee to be constituted under this section, and the committee shall thereupon require each alien affected to make to the committee within one month, in a form prescribed by the committee, an application to be allowed to remain in the United Kingdom, stating the general grounds on which the application is based, and the answer of the alien to the allegations made in relation to him, and the committee shall examine into such allegations and in the result may—

(*a*) recommend that the alien be immediately deported; or

(*b*) if satisfied that the allegations are groundless or insufficient, and that the alien affected holds an exemption recommended by any advisory committee appointed in the year nineteen hundred and fifteen, recommend that such exemption be not disturbed; or

(*c*) in any case in which it seems to them right and proper so to do, recommend that the alien be granted a licence to remain, subject to such terms and conditions (if any) as may appear to them to be fitting in the circumstances.

(5) In granting a licence under this section, the Secretary of State may include in the licence the wife of the applicant and any child or children of his, and such inclusion shall, notwithstanding anything in this section, have the same effect as the grant of a licence.

(6) A list of the persons to whom such licence is granted shall, as soon as may be, after the granting of the licence, be published in the Gazette.

(7) Any licence so granted may be at any time revoked by the Secretary of State.

(8) If such licence is not granted, or if, having been granted, it is revoked, the Secretary of State shall make an order (in this Act referred to as a deportation order) requiring the alien to leave the United Kingdom and thereafter to remain out of the United Kingdom so long as the order remains in force. The Secretary of State may, by a deportation order, require the alien to return to the country of which he is a subject or citizen.

(9) The provisions of this section shall be in addition to and not in derogation of any other provisions of the principal Act or this Act or any Order in Council made thereunder.

(10) The Secretary of State shall appoint an advisory committee for the purpose of this section, consisting of a chairman and such other persons including members of both Houses of Parliament, as the Secretary of State may think fit.

(11) This section shall not apply to any subject of the Ottoman Empire who holds a certificate issued by a police authority, or by or under the direction of the Secretary of State, granting exemption from any provisions of Part II. of the Aliens Restriction Order in force on the first day of January nineteen hundred and nineteen, applicable to alien enemies.

Admission of former enemy aliens.

10.—(1) No former enemy alien shall, for a period of three years after the passing of this Act, be permitted to land in the United Kingdom either from the sea or from the air, or, if he should land without permission, to remain in the United Kingdom, without the permission of the Secretary of State, to be granted only on special grounds, and such permission shall, save as hereinafter provided, be limited in duration to a period of three months, and may, upon special grounds, be renewed from time to time for a like period.

(2) A list of the persons to whom permissions are so granted during each month shall be published in the London Gazette as soon as praticable after the end of each such month.

(3) The requirement of this section that permission to remain in the United Kingdom shall be limited to a period of three months shall not apply to a former enemy alien who was resident in the United Kingdom at the date of the passing of this Act, and after a temporary absence abroad returns to the United Kingdom.

(4) Where any former enemy alien, formerly resident in the United Kingdom, and having a British-born wife or a British-born child under the age of sixteen still resident in the United Kingdom, applies, within three months from the passing of this Act, to the Secretary of State for permission to land in the

United Kingdom, the Secretary of State shall refer the application to the advisory committee constituted under the last foregoing section of this Act, and, if that committee recommends that he be permitted to land, he shall be so permitted, and the requirement of this section that permission to remain in the United Kingdom shall be limited to a period of three months shall not apply.

Temporary restriction on acquisition by former enemy aliens of certain kinds of property.

11.—(1) During a period of three years from the passing of this Act it shall not be lawful for a former enemy alien, either in his own name or in the name of a trustee or trustees, to acquire property of any of the following descriptions; that is to say:—

(*a*) any land, or any interest in any land, in the United Kingdom; or

(*b*) any interest in a key industry, or any share or interest in a share in a company registered in the United Kingdom which carries on any such industry; or

(*c*) any share or interest in a share in a company owning a British ship registered in the United Kingdom.

(2) If any such property as aforesaid is acquired in contravention of this section, the Board of Trade may, on an application made to them for the purpose, by order vest the property in the Public Trustee.

Any such order may contain provisions applying for the purposes of the order, with such modifications as the Board think necessary, any of the provisions of section four of the Trading with the Enemy Amendment Act, 1916, or any enactment referred to in that section. 5 & 6 Geo. 5. c. 105.

(3) For the purpose of this section—

The expression "key industry" means any industry included in a list declared by the Board of Trade to be a list of key industries for the purposes of this section;

The expression "share" includes any stock forming part of the capital of a company and securities of any description issued by a company;

The expression "interest in land" does not include a tenancy for a period not exceeding three years at a rackrent.

(4) Any list of key industries prepared by the Board of Trade under this section shall be published as soon as it is made in the London Gazette, and may be varied or amended by the Board from time to time.

Employment of former enemy aliens in British ships.

12. No former enemy alien shall be employed or shall act as master, officer, or member of the crew of a British ship registered in the United Kingdom.

GENERAL.

Offences and penalties.

13.—(1) If any person acts in contravention of or fails to comply with the provisions of this Act or any order or rules made or conditions imposed thereunder, he shall be guilty of an offence against this Act.

(2) If any person aids or abets any person in any contravention of this Act or knowingly harbours any person whom he knows or has reasonable ground for believing to have acted in contravention of this Act, he shall be guilty of an offence against this Act.

(3) Where a person lands in the United Kingdom in contravention of this Act, the master of the ship or the pilot or commander of the aircraft from which he lands shall, unless he proves to the contrary, be deemed to have aided and abetted the offence.

(4) A person who is guilty of an offence against this Act shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment, with or without hard labour, for a term not exceeding six months, or, on a second or subsequent conviction, twelve months, or, in either case, to both such fine and imprisonment.

Saving for diplomatic persons, &c.

14.—(1) Nothing in this Act contained shall be construed as imposing any restriction or disability on any duly accredited head of a foreign diplomatic mission or any member of his official staff or household.

(2) The Secretary of State may exempt from any of the special provisions of this Act as to former enemy aliens any consul or vice-consul to whom His Majesty is pleased to grant an exequatur and the wife and child of any such consul or vice-consul.

Definitions.

15. The expression "former enemy alien" means an alien who is a subject or citizen of the German Empire or any component state thereof, or of Austria, Hungary, Bulgaria, or Turkey, or who, having at any time been such subject or citizen, has not changed his allegiance as a result of the recognition of new states or territorial re-arrangements, or been naturalised in any other foreign state or in any British Possession in accordance with the laws thereof and when actually resident therein, and does not retain according to the law of his state of origin the nationality of that state:

Provided that the special provisions of this Act as to former enemy aliens, except the provisions of subsection (2) of section two of this Act, shall not apply to any woman who was at the time of her marriage a British subject.

Short title and repeal.

16.—(1) This Act may be cited as the Aliens Restriction (Amendment) Act, 1919, and the principal Act and this Act may be cited together as the Aliens Restriction Acts, 1914 and 1919.

(2) The Aliens Act, 1905, is hereby repealed as from such date or dates as may be specified by Order in Council made under the principal Act, and any such order may fix different dates for the repeal of different provisions of the said Act, but an order under the principal Act may incorporate (with or without modifications) any of the provisions of the said Act: 5 Edw. 7. c. 13.

Provided that any order or appointment made or action taken under the said Act shall, notwithstanding any such repeal as aforesaid, continue in force as though it had been made or taken under an Order in Council under the principal Act, subject, however, to any provisions of any such order.

CHAPTER 93.

An Act to amend the Public Libraries Acts, 1892 to 1901, and to repeal so much of the Museums and Gymnasiums Act, 1891, as authorises the provision of Museums in England and Wales. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers of county councils to adopt the Public Libraries Acts.

1.—(1) The council of any county in England or Wales shall have power by resolution specifying the area to which the resolution extends to adopt the Public Libraries Acts for the whole or any part of their county, exclusive of any part of the county which is an existing library area within the meaning of this Act, as if the area specified in the resolution were a library district for the purposes of those Acts.

(2) Where any resolution is passed by the council of a county under this section, the Public Libraries Acts shall, as respects the area specified in the resolution, be carried into execution by the council as the library authority of the area, and, subject to the provisions of this Act, the power to adopt those Acts for any district comprised in that area, being a library district within the meaning of the Public Libraries Act, 1892, shall cease. 55 & 56 Vict. c. 53.

(3) Where the Public Libraries Acts have been adopted by the council of a county, the council may borrow for the purposes of those Acts as for the purposes of the Local Government Act, 1888: 51 & 52 Vict. c. 41.

Provided that money borrowed for the purposes of those Acts shall not be reckoned as part of the total debt of the county for the purposes of subsection (2) of section sixty-nine of the Local Government Act, 1888, and that sixty years shall be substituted for thirty years in subsection (5) of the said section sixty-nine as the maximum period within which money borrowed for the purposes of those Acts is to be repaid.

Arrangements between existing library authorities and county councils.

2.—(1) Any library authority, being the library authority of an existing library area and not being the council of a county borough, may, on such terms as may be agreed upon between the authority and the council of the county and approved by the Board, relinquish in favour of the council of the county any of their powers and duties under the Public Libraries Acts, and in that case the powers and duties so relinquished shall cease and the provisions of this Act shall have effect as if the council of the county had passed a resolution under this Act adopting the Public Libraries Acts as respects that area.

(2) Where under the provisions of this Act any existing library authority relinquishes its powers and duties in favour of the council of a county, any property or rights acquired for the purpose of the performance of those powers and duties shall by virtue of this Act be transferred to and become vested in the county council and any liabilities incurred for that purpose shall by virtue of this Act become liabilities of the county council.

Reference and delegation of library powers to education committees. 2 Edw. 7. c. 42.

3.—(1) Where after the commencement of this Act the Public Libraries Acts are adopted by an authority which is not the library authority of an existing library area and which is the local education authority for the purpose of Part II. of the Education Act, 1902, all matters relating to the exercise by the authority of their powers under the Public Libraries Acts, except the power of raising a rate or borrowing money, shall stand referred to the education committee established under the Education Acts, 1870 to 1918, and the authority before exercising any such powers shall, unless in their opinion the matter is urgent, receive and consider the report of the education committee with respect to the matter in question.

(2) A library authority, being the local education authority for the purpose of Part II. of the Education Act, 1902, may refer any matters relating to the exercise by them of their powers under the Public Libraries Acts to the education committee established under the Education Acts, 1870 to 1918, and may delegate to that committee any of those powers other than the power of raising a rate or borrowing money, and any education committee to which any powers are delegated under this section may, subject to any directions of the council, delegate all or any of those powers to a sub-committee consisting either in whole, or in part, of members of the education committee.

(3) Where any powers stand referred or are delegated to an education committee in pursuance of this section, those powers shall not, by reason of being so delegated, be deemed for any purposes whatsoever to be powers conferred by the Education Acts, 1870 to 1918.

Provision as to expenses and audit. 55 & 56 Vict. c. 53.

4.—(1) Section two of the Public Libraries Act, 1892 (which imposes limitations on the amount of the rate which may be levied for the purposes of that Act) shall cease to have effect,

and, where the expenses incurred by any library authority for the purposes of the Public Libraries Acts during the financial year current at the commencement of this Act exceed the amount produced by the maximum rate which the authority have power to levy for the purposes of those Acts, no part of those expenses shall be open to objection on the audit of the accounts of the authority on the ground that the statutory limitation on expenditure has been exceeded, if and in so far as the expenses were in the opinion of the Ministry of Health reasonably incurred:

Provided that, if the library authority of any library district, either at the time when the Public Libraries Acts are adopted for the district or at any subsequent time, by resolution declare that the rate to be levied for the purposes of those Acts in the district or any specified portion of the district in any one financial year shall not exceed such sum in the pound as may be specified, the power to raise a rate for the purpose of those Acts in that district shall be limited accordingly, and any such resolution shall not be rescinded until the expiration of twelve months from the date on which it was passed.

(2) Any expenses incurred by the council of a county under the Public Libraries Acts shall be defrayed out of the county fund, and the council may, if they think fit, after giving reasonable notice to the overseers of the parish or parishes concerned, and in the case of an area situate within a borough including a metropolitan borough or urban district after consultation with the council of the borough or urban district, charge any expenses incurred by them under those Acts on any parish or parishes which in the opinion of the council of the county are served by any institution which has been provided or is being maintained by that council under those Acts:

Provided that the council of a county shall not charge any expenses so incurred on any parish or parishes within an existing library district without the concurrence of the library authority of that district.

(3) The accounts of the receipts and expenditure under the Public Libraries Acts of the council of a county shall be audited in manner provided by section seventy-one of the Local Government Act, 1888.

Power to rescind resolutions of county councils adopting the Public Libraries Acts.

5.—(1) The council of a county by whom a resolution has been passed under this Act adopting the Public Libraries Acts may, if they think it advisable so to do with a view to the better carrying into effect of those Acts in any district, apply to the Board for an order rescinding the resolution as respects that district, and the Board may on any such application, if they think fit, make an order accordingly, and thereupon the Public Libraries Acts shall, as respects that district, have effect as from the date specified in that behalf in the order as though the resolution had not been passed.

(2) Any order made under this section may contain such consequential and supplemental provisions with respect to the transfer of any property or rights acquired or liabilities incurred under the Public Libraries Acts from the council of the county to the library authority of the district concerned as the Board think fit, but no such liabilities shall be transferred to such last-mentioned library authority without their consent.

(3) In this section the expression "district" means, as the case requires, either a library district or a district which would have been a library district if a resolution adopting the Public Libraries Acts had not been passed under this Act by the council of the county.

Power of certain library authorities to purchase land compulsorily.

6. A library authority, being the local education authority for the purpose of Part II. of the Education Act, 1902, may be authorised to purchase land compulsorily for the purpose of any of their powers or duties under the Public Libraries Acts in the same manner as they are authorised to purchase land compulsorily for the purpose of their powers or duties under the Education Acts, 1870 to 1918, and subsection (1) of section thirty-four of the Education Act, 1918, shall apply accordingly with the substitution of a reference to the Public Libraries Acts for references therein to the Education Acts, and with the omission of proviso (*b*) thereof.

8 & 9 Geo. 5. c. 39.

Repeal of s. 3 of 56 & 57 Vict. c. 11.

7. Section three of the Public Libraries Act, 1893, shall cease to have effect, and accordingly any resolution passed in accordance with the ordinary procedure of the council concerned shall have full effect for the purposes of that Act.

Power of providing schools of science and of art under s. 11 of 55 & 56 Vict. c. 53. to cease.

8. As from the date of the commencement of this Act, the power of providing schools for science and schools for art conferred by section eleven of the Public Libraries Act, 1892, shall cease, without prejudice, however, to the power of maintaining under the Public Libraries Acts any such school established under that section before that date.

Power of providing museums under 54 & 55 Vict. c. 22. to cease.

9. As from the date of the commencement of this Act, so much of section four of the Museums and Gymnasiums Act, 1891, as authorises the provision of museums in England and Wales shall cease to have effect, without prejudice however, subject as hereinafter provided, to the power of maintaining under that Act any museum established thereunder before the said date:

Provided that, where the district for which a museum has been provided under the said Act at the said date is, or is part of, or at any time after the said date becomes, or becomes part of, a district which is a library district within the meaning of the Public Libraries Act, the museum shall be transferred to the library authority of the district, and be maintained by that authority as though it had been provided under those Acts.

10. For the purposes of this Act— Interpretation.

The expression "the Public Libraries Acts" means the Public Libraries Acts, 1892 to 1901, and this Act;

The expression "the Board" means the Board of Education;

The expression "existing library area" means a district as respects which the Public Libraries Acts are in force and in which expenses have, within the last preceding financial year, been incurred for the purposes of those Acts, or in which a public library has been established and is being maintained under or by virtue of any local Act;

The expression "financial year" means the year ending on the thirty-first day of March.

11.—(1) This Act may be cited as the Public Libraries Act, 1919, and shall be construed as one with the Public Libraries Acts, 1892 to 1901, and those Acts and this Act may be cited together as the Public Libraries Acts, 1892 to 1919. Short title and repeal.

(2) The enactments mentioned in the schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

SCHEDULE. Section 11.

Session and Chapter.	Short Title.	Extent of Repeal.
55 & 56 Vict. c. 53.	The Public Libraries Act, 1892.	Section two; in section three the words "or with respect to any "limitation of the rate other "than the limitations specified "in this Act"; subsection (4) of section twenty-one.
56 & 57 Vict. c. 11.	The Public Libraries (Amendment) Act, 1893.	In section two the words "subject "to the conditions contained in "the second section of that Act" and the words "and the limita- "tion of the maximum rate to "be levied for the purposes of "that Act may within the limits "fixed by that Act be fixed, "raised or removed"; section three.
1 Edw. 7. c. 19.	The Public Libraries Act, 1901.	Section ten.

CHAPTER 94.

An Act to provide for the Registration of Nurses for the Sick. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Establishment and constitution of General Nursing Council.

1.—(1) For the purposes of this Act, there shall be established a General Nursing Council for England and Wales (in this Act referred to as "the Council"), which shall be a body corporate by that name with perpetual succession and a common seal with power to acquire and hold land without licence in mortmain.

(2) The Council shall be constituted in accordance with the provisions contained in the Schedule to this Act.

(3) The seal of the Council shall be authenticated in the prescribed manner and any document purporting to be sealed with the said seal so authenticated shall be receivable in evidence of the particulars stated in that document.

Register of nurses.

2.—(1) It shall be the duty of the Council to form and keep a register of nurses for the sick (in this Act referred to as "the register") subject to and in accordance with the provisions of this Act.

(2) The register shall consist of the following parts:—

(*a*) a general part containing the names of all nurses who satisfy the conditions of admission to that part of the register:

(*b*) a supplementary part containing the names of male nurses:

(*c*) a supplementary part containing the names of nurses trained in the nursing and care of persons suffering from mental diseases:

(*d*) a supplementary part containing the names of nurses trained in the nursing of sick children:

(*e*) any other prescribed part.

Where any person satisfies the conditions of admission to any supplementary or prescribed part of the register, his name may be included in that part of the register notwithstanding that it is also included in the general part.

(3) A certificate under the seal of the Council duly authenticated in the prescribed manner stating that any person is, or was at any date, or is not, or was not at any date, duly registered under this Act shall be conclusive evidence in all courts of law of the fact stated in the certificate.

(4) Any reference in this Act to the register shall, unless the context otherwise requires, be deemed to include a reference to

any part of the register, and the expression "registered" shall be construed accordingly.

Rules.

3.—(1) The Council shall make rules for the following purposes:—

(*a*) for regulating the formation, maintenance and publication of the register;

(*b*) for regulating the conditions of admission to the register;

(*c*) for regulating the conduct of any examinations which may be prescribed as a condition of admission to the register, and any matters ancillary to or connected with any such examinations;

(*d*) for prescribing the causes for which, the conditions under which, and the manner in which nurses may be removed from the register, the procedure for the restoration to the register of nurses who have been removed therefrom, and the fee to be payable on such restoration;

(*e*) for regulating the summoning of meetings of the Council and the proceedings (including quorum) of the Council;

(*f*) for enabling the Council to constitute committees and for authorising the delegation to committees of any of the powers of the Council, and for regulating the proceedings (including quorum) of committees;

(*g*) generally for making provision with respect to any matters with respect to which the Council think that provision should be made for the purpose of carrying this Act into effect (including provision with respect to the issue of certificates to nurses registered under this Act and with respect to the uniform or badge which may be worn by nurses so registered), and for prescribing anything which under this Act is to be prescribed.

(2) Rules under this section shall contain provisions—

(*a*) requiring as a condition of the admission of any person to the register that that person shall have undergone the prescribed training, and shall possess the prescribed experience, in the nursing of the sick; and

(*b*) requiring that the prescribed training shall be carried out either in an institution approved by the Council in that behalf or in the service of the Admiralty, the Army Council, or the Air Council; and

(*c*) enabling persons who, within a period of two years after the date on which the rules to be made under the provisions of this paragraph first come into operation, make an application in that behalf (in this Act referred to as "an existing nurse's appli-

cation"), to be admitted to the register on producing evidence to the satisfaction of the Council that they are of good character, are of the prescribed age, are persons who were for at least three years before the first day of November, nineteen hundred and nineteen, bonâ fide engaged in practice as nurses in attendance on the sick under conditions which appear to the Council to be satisfactory for the purposes of this provision and have adequate knowledge and experience of the nursing of the sick.

(3) Rules made under this section shall not come into operation unless and until they are approved by the Minister of Health.

(4) Every rule made under this section shall be laid before each House of Parliament forthwith, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such rule is laid before it praying that the rule may be annulled or modified, His Majesty in Council may annul or modify the rule, and, if annulled, it shall thenceforth be void, and, if modified, it shall thenceforth have effect as so modified, but without prejudice to the validity of anything previously done thereunder.

Staff and expenses.

4.—(1) The Council may, with the previous sanction of the Minister of Health, appoint a person to act as registrar of the Council, and may, subject to the consent of the Minister as to numbers, employ such other officers as the Council consider necessary.

(2) There shall be paid to the registrar and the officers of the Council such salaries or remuneration as the Council with the approval of the Minister of Health may from time to time determine.

(3) Any expenses incurred by the Council in carrying this Act into effect, including expenses in connection with examinations or prosecutions under this Act and, subject as hereinafter provided, the travelling expenses of and sums paid on account of subsistence allowance to members of the Council, shall be defrayed out of the sums received by the Council by way of fees under this Act:

Provided that the amount to be allowed to members of the Council in respect of travelling expenses and subsistence allowance shall be calculated in accordance with directions to be given by the Minister of Health.

(4) The accounts of the Council shall be audited in such manner, and by such person, as the Minister of Health may from time to time direct, and copies of the accounts, and of any report made on the accounts, shall be transmitted by the Council to such persons as the Minister may direct.

Fees.

5.—(1) There shall be paid to the Council in respect of every application to be examined or to be registered under this Act, and in respect of the retention in any year of the name of any person on the register, such fees respectively as the Council may, with the approval of the Minister of Health, from time to time determine:

Provided that—

(*a*) in the case of an existing nurse's application the amount of the fee payable on the application shall be such sum, not exceeding one guinea, as the Council, with such approval as aforesaid, may determine; and

(*b*) the amount of the fee payable in respect of the retention in any year of the name of any person on the register shall not exceed two shillings and sixpence.

(2) The Council may charge for any certificate or other document issued, or in respect of any services performed, by them, such fees as may be prescribed.

Admission to register of persons trained outside United Kingdom.

6.—(1) Any person who proves to the satisfaction of the Council that he has been registered either generally as a nurse for the sick or as a nurse of some special class in any part of His Majesty's dominions outside the United Kingdom, being a part of those dominions to which this section applies, shall be entitled, on making an application in the prescribed manner and paying such fee, not being greater than the fee payable on ordinary applications for registration under this Act, as the Council may demand, to be registered in a corresponding manner under this Act.

(2) This section applies to any part of His Majesty's dominions as respects which the Council are satisfied—

(*a*) that there is in force therein an enactment, or a provision of any kind having the force of law, providing for the registration of nurses under some public authority;

(*b*) that persons registered under this Act are admitted to the register established under the said enactment or provision on terms not less favourable than those contained in subsection (1) of this section; and

(*c*) that the standard of training and examination required for admission to the register of nurses established under the said enactment or provision is not lower than the standard of training and examination required under this Act.

(3) In the event of provision being hereafter made for the establishment of a register of nurses in Scotland or Ireland, the Council shall make rules under this Act enabling persons registered as nurses in Scotland or Ireland, as the case may be, to obtain admission to the register of nurses established under this

Act; and, with a view to securing a uniform standard of qualification in all parts of the United Kingdom, the Council shall, before making any rules under this Act with respect to the conditions of admission to the register, consult with any Nursing Councils which may be established by Parliament for Scotland and Ireland respectively.

Appeal against removal from register, and against refusal to approve institution.

7.—(1) Any person aggrieved by the removal of his name from the register may, within three months after the date on which notice is given to him by the Council that his name has been so removed, appeal against the removal in manner provided by rules of court to the High Court, and on any such appeal the High Court may give such directions in the matter as it thinks proper, including directions as to the costs of the appeal, and the order of the High Court shall be final and conclusive and not subject to an appeal to any other court.

(2) Any person aggrieved by the refusal of the Council to approve any institution for the purpose of the rules under this Act relating to training may appeal against the refusal to the Minister of Health, and the Minister, after considering the matter, shall give such directions therein as he thinks proper, and the Council shall comply with any directions so given.

Penalties for unlawful assumption of title of registered nurse and for falsification of register.

8.—(1) Any person who—

(*a*) not being a person duly registered under this Act, at any time after the expiration of three months from the date on which the Minister of Health gives public notice that a register of nurses has been compiled under this Act, takes or uses the name or title of registered nurse, either alone or in combination with any other words or letters, or any name, title, addition, description, uniform, or badge, implying that he is registered under this Act or is recognised by law as a registered nurse; or

(*b*) being a person whose name is included in any part of the register, at any time after the expiration of the period aforesaid takes or uses any name, title, addition, description, uniform or badge, or otherwise does any act of any kind, implying that his name is included in some other part of the register; or

(*c*) at any time with intent to deceive makes use of any certificate of registration as a nurse issued under this Act to him or any other person,

shall be liable on summary conviction to a fine not exceeding, in the case of a first offence, ten pounds, and in the case of a second or any subsequent offence fifty pounds.

(2) If any person wilfully makes, or causes to be made, any falsification in any matter relating to the register, he shall be guilty of a misdemeanour and shall, on conviction thereof, be liable to a fine not exceeding one hundred pounds.

9.—(1) This Act shall not extend to Scotland or Ireland. Extent and short title.

(2) This Act may be cited as the Nurses Registration Act, 1919.

SCHEDULE.

Section 1.

CONSTITUTION OF COUNCIL.

1. The Council shall consist of twenty-five members.

2. On its first constitution the Council shall be composed of the following persons, namely :—

Two persons, who shall not be registered medical practitioners, or nurses, or persons concerned with the regular direction or provision of the services of nurses, appointed by the Privy Council :

Two persons appointed by the Board of Education :

Five persons appointed by the Minister of Health, after consultation with persons and bodies having special knowledge and experience of training schools for nurses, of the work of matrons of hospitals, of general and special nursing services, and of general and special medical practice :

Sixteen persons, who are or have at some time been nurses actually engaged in rendering services in direct connexion with the nursing of the sick, appointed by the Minister of Health after consultation with the Central Committee for the State Registration of Nurses, the College of Nursing, the Royal British Nurses Association, and such other associations or organised bodies of nurses or matrons as represent to the Minister that they desire to be consulted in the matter.

The Minister, in making appointments under this provision, shall have regard to the desirability of including in the Council persons having experience in the various forms of nursing.

3. The first members of the Council shall hold office for such term, not less than two years and not exceeding three years from the commencement of this Act, as the Minister of Health may determine.

4. After the expiration of the term of office of the first members of the Council, the Council shall be composed of nine persons appointed respectively by the Privy Council, the Board of Education, and the Minister of Health as aforesaid, and of sixteen persons, being persons registered as nurses under this Act, elected in accordance with the prescribed scheme and in the prescribed manner by the persons so registered at the date of election.

5. Any members of the Council other than the first members thereof shall hold office for a term of five years.

6. If the place of a member of the Council becomes vacant before the expiration of his term of office whether by death, resignation, or otherwise, the vacancy shall be filled by appointment by the body or persons by whom the member was appointed, or if the vacating member was an elected member by the Council.

The Council in co-opting a member under the foregoing provision shall, so far as practicable, select a person, being a person registered as a

nurse under this Act, who is representative of the same interests as those represented by the vacating member.

Any person appointed or elected to fill a casual vacancy shall hold office only so long as the member in whose stead he is appointed or elected would have held office.

7. Any member ceasing to be a member of the Council shall be eligible for re-appointment or re-election.

8. The powers of the Council may be exercised notwithstanding any vacancy in their number.

CHAPTER 95.

An Act to provide for the Registration in Scotland of Nurses for the Sick. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Establishment and constitution of General Nursing Council for Scotland.

1.—(1) For the purposes of this Act, there shall be established a General Nursing Council for Scotland (in this Act referred to as "the Council"), which shall be a body corporate by that name with perpetual succession and a common seal, with power to acquire, hold and dispose of land. The Council may sue and be sued by that name, and service on the Council of all legal processes and notices may be effected by service on their registrar.

(2) The Council shall be constituted in accordance with the provisions contained in the Schedule to this Act.

(3) Any document purporting to be sealed with the seal of the Council or to be signed in the name of the Council by their registrar or any person authorised by the Council to act in that behalf shall be receivable in evidence of the particulars stated in that document.

Register of nurses.

2.—(1) It shall be the duty of the Council to form and keep a register of nurses for the sick (in this Act referred to as "the register") subject to and in accordance with the provisions of this Act.

(2) The register shall consist of the following parts:—

(*a*) a general part containing the names of all nurses who satisfy the conditions of admission to that part of the register:

(*b*) a supplementary part containing the names of male nurses:

(*c*) a supplementary part containing the names of nurses trained in the nursing and care of persons suffering from mental diseases:

(*d*) a supplementary part containing the names of nurses trained in the nursing of sick children:

(*e*) any other prescribed part.

Where any person satisfies the conditions of admission to any supplementary or prescribed part of the register, his name may be included in that part of the register notwithstanding that it is also included in the general part.

(3) A certificate under the seal of the Council stating that any person is, or was at any date, or is not, or was not at any date, duly registered under this Act shall be conclusive evidence in all courts of law of the fact stated in the certificate.

(4) Any reference in this Act to the register shall, unless the context otherwise requires, be deemed to include a reference to any part of the register, and the expression "registered" shall be construed accordingly.

Rules.

3.—(1) The Council shall make rules for the following purposes:—

(*a*) for regulating the formation, maintenance and publication of the register;

(*b*) for regulating the issue of certificates and the conditions of admission to the register;

(*c*) for regulating the conduct of any examinations which may be prescribed as a condition of admission to the register, and any matters ancillary to or connected with any such examinations;

(*d*) for prescribing the causes for which, the conditions under which, and the manner in which nurses may be removed from the register, the cancellation of certificates of nurses removed from the register, the procedure for the restoration to the register of nurses who have been removed therefrom, and the fee to be payable on such restoration;

(*e*) for regulating the summoning of meetings of the Council and the proceedings (including quorum) of the Council;

(*f*) for enabling the Council to constitute committees and for authorising the delegation to committees of any of the powers of the Council, and for regulating the proceedings (including quorum) of committees; and

(*g*) generally for making provision with respect to any matters with respect to which the Council think that provision should be made for the purpose of carrying this Act into effect (including provision with respect to the uniform or badge which may be worn by nurses registered under this Act), and for prescribing anything which under this Act is to be prescribed.

(2) Rules under this section shall contain provisions—

(*a*) requiring as a condition of the admission of any person to the register that such person shall have undergone the prescribed training, and shall possess the prescribed experience, in the nursing of the sick; and

(*b*) requiring that the prescribed training shall be carried out either in an institution approved by the Council in that behalf or in the service of the Admiralty, the Army Council, or the Air Council; and

(*c*) enabling persons who, within a period of two years after the date on which the rules to be made under the provisions of this paragraph first come into operation, make an application in that behalf (in this Act referred to as "an existing nurse's application"), to be admitted to the register on producing evidence to the satisfaction of the Council that they are of good character, are of the prescribed age, and either—

(i) are persons holding certificates from the Local Government Board for Scotland or from the Scottish Board of Health (in this Act referred to as "the Board") that they possess the qualifications required by the Department so certifying, or

(ii) are persons who were for at least three years before the first day of November, nineteen hundred and nineteen, bonâ fide engaged in practice as nurses in attendance on the sick under conditions which appear to the Council to be satisfactory for the purposes of this provision and have adequate knowledge and experience of the nursing of the sick.

(3) Before making rules under this section with respect to the conditions of admission to the register, the Council shall, with a view to securing a uniform standard of qualification in all parts of the United Kingdom, consult with any Nursing Councils which may be established by Parliament for England and Wales or Ireland respectively.

(4) Rules made under this section shall not come into operation unless and until they are approved by the Board.

(5) At least thirty days before making any rules under this section, notice of the proposal to make the rules, and of the place where copies of the draft rules may be obtained, shall be published by the Council in the Edinburgh Gazette, and in such other manner as the Council think best adapted for ensuring publicity.

(6) Every rule made under this section shall be laid before each House of Parliament forthwith, and, if an Address is

presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such rule is laid before it praying that the rule may be annulled or modified, His Majesty in Council may annul or modify the rule and, if annulled, it shall thenceforth be void, and, if modified, it shall thenceforth have effect as so modified, but without prejudice to the validity of anything previously done thereunder.

Staff and expenses.

4.—(1) The Council may, with the previous sanction of the Board, appoint a person to act as registrar of the Council, and may, subject to the consent of the Board as to numbers, employ such other officers as the Council consider necessary. The registrar shall act as secretary and treasurer to the Council, and shall be charged, subject to the instructions of the Council, with the preparation, correction, and custody of the register.

(2) There shall be paid to the registrar and the other officers of the Council such salaries or remuneration as the Council with the approval of the Board may from time to time determine.

(3) Any expenses incurred by the Council in carrying this Act into effect, including expenses in connection with examinations under this Act and, subject as hereinafter provided, the travelling expenses of and sums paid on account of subsistence allowance to members of the Council, shall be defrayed out of the sums received by the Council by way of fees under this Act, or any other sums received by the Council:

Provided that the amount to be allowed to members of the Council in respect of travelling expenses and subsistence allowance shall be calculated in accordance with directions to be given by the Board.

(4) The accounts of the Council shall be made up annually as at such date as the Board may fix, and shall be audited in such manner, and by such person, as the Board may from time to time direct, and copies of the accounts, and of any report made on the accounts, shall, within three months after the date as at which the accounts are made up, be transmitted by the Council to the Board and to such persons as the Board may direct.

Fees.

5.—(1) There shall be paid to the Council in respect of every application to be examined or to be registered under this Act, and in respect of the retention in any year of the name of any person on the register, such fees respectively as the Council may, with the approval of the Board, from time to time determine:

Provided that—

(*a*) in the case of an existing nurse's application the amount of the fee payable on the application shall be such sum, not exceeding one guinea, as the

Council, with such approval as aforesaid, may determine; and

(*b*) the amount of the fee payable in respect of the retention in any year of the name of any person on the register shall not exceed two shillings and sixpence.

(2) The Council may charge for any certificate or other document issued, or in respect of any services performed, by them, such fees as may be prescribed.

Admission to register of persons trained outside United Kingdom.

6.—(1) Any person who proves to the satisfaction of the Council that he has been registered, either generally as a nurse for the sick, or as a nurse of some special class, in any part of His Majesty's dominions outside the United Kingdom, being a part of those dominions to which this section applies, shall be entitled, on making an application in the prescribed manner and paying such fee, not being greater than the fee payable on ordinary applications for registration under this Act, as the Council may demand, to be registered in a corresponding manner under this Act.

(2) This section applies to any part of His Majesty's dominions as respects which the Council are satisfied—

(*a*) that there is in force therein an enactment, or a provision of any kind having the force of law, providing for the registration of nurses under some public authority;

(*b*) that persons registered under this Act are admitted to the register established under the said enactment or provision on terms not less favourable than those contained in subsection (1) of this section; and

(*c*) that the standard of training and examination required for admission to the register of nurses established under the said enactment or provision is not lower than the standard of training and examination required under this Act.

(3) In the event of provision being made for the establishment of a register of nurses in England and Wales or Ireland, the Council shall make rules under this Act enabling persons registered as nurses in England and Wales or Ireland, as the case may be, to obtain admission to the register of nurses established under this Act.

Appeal against removal from register, and against refusal to approve institution.

7.—(1) Any person aggrieved by the removal of his name from the register may, within three months after the date on which notice is given to him by the Council that his name has been so removed, appeal against the removal in manner provided by Act of Sederunt to the Court of Session, and on any such appeal the Court may give such directions in the matter as it thinks proper, including directions as to the costs of the

appeal, and the order of the Court shall be final and conclusive and not subject to an appeal to any other court.

(2) Any person aggrieved by the refusal of the Council to approve any institution for the purpose of the rules under this Act relating to training may appeal against the refusal to the Board, and the Board, after considering the matter, shall give such directions therein as they think proper, and the Council shall comply with any directions so given.

Penalties for unlawful assumption of title of registered nurse and for falsification of register.

8.—(1) Any person who—

(*a*) not being a person duly registered under this Act, at any time after the expiration of three months from the date on which the Board gives public notice that a register of nurses has been compiled under this Act, takes or uses the name or title of registered nurse, either alone or in combination with any other words or letters, or any name, title, addition, description, uniform, or badge, implying that he is registered under this Act or is recognised by law as a registered nurse; or

(*b*) being a person whose name is included in any part of the register, at any time after the expiration of the period aforesaid, takes or uses any name, title, addition, description, uniform, or badge, or otherwise does any act of any kind, implying that his name is included in some other part of the register; or

(*c*) at any time with intent to deceive makes use of any certificate of registration as a nurse issued under this Act to him or any other person;

shall be liable on summary conviction to a penalty not exceeding, in the case of a first offence, ten pounds, and in the case of a second or any subsequent offence fifty pounds.

(2) If any person wilfully makes, or causes to be made, any falsification in any matter relating to the register, he shall be guilty of a crime and offence and shall, on conviction thereof, be liable to a fine not exceeding one hundred pounds.

Annual report of Council.

9. The Council shall present to the Board a report of their proceedings during each year within three months after the termination of each year, containing such particulars as the Board may direct.

Extent and short title.

10.—(1) This Act shall extend to Scotland only.

(2) This Act may be cited as the Nurses Registration (Scotland) Act, 1919.

SCHEDULE.

CONSTITUTION OF COUNCIL.

Section 1.

1. The Council shall consist of fifteen members.

2. On its first constitution the Council shall be composed of the following persons, namely :—

One person, who shall not be a registered medical practitioner, or a nurse, or a person concerned with the regular direction or provision of the services of nurses, appointed by the Privy Council :

One person appointed by the Scottish Education Department :

Four persons appointed by the Board, after consultation with persons and bodies having special knowledge and experience of training schools for nurses, of the work of matrons of hospitals, of general and special nursing services, and of general and special medical practice :

Nine persons, who are or have at some time been nurses actually engaged in rendering services in direct connection with the nursing of the sick, appointed by the Board after consultation with such associations or organised bodies of nurses or matrons as appear to the Board to represent persons who may become registered under this Act. The Board in making appointments under this provision shall have regard to the desirability of including in the Council persons having experience in the various forms of nursing.

3. The first members of the Council shall hold office for such term, not less than two years and not exceeding three years from the commencement of this Act, as the Board may determine.

4. After the expiration of the term of office of the first members of the Council, the Council shall be composed of six persons appointed respectively by the Privy Council, the Scottish Education Department, and the Board as aforesaid, and of nine persons, being persons registered as nurses under this Act, elected in the prescribed manner by the persons so registered at the date of election.

5. Any members of the Council other than the first members thereof shall hold office for a term of five years.

6. If the place of a member of the Council becomes vacant before the expiration of his term of office whether by death, resignation, or otherwise, the vacancy shall be filled, if the vacating member was an appointed member, by appointment by the body or persons by whom the member was appointed, or if the vacating member was an elected member in such manner as may be prescribed.

Any person appointed or elected to fill a casual vacancy shall hold office only so long as the member in whose stead he is appointed or elected would have held office.

7. Any member ceasing to be a member of the Council shall be eligible for re-appointment or re-election.

8. The powers of the Council may be exercised notwithstanding any vacancy in their number.

CHAPTER 96.

An Act to provide for the Registration of Nurses in Ireland. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Establishment and constitution of General Nursing Council for Ireland.

1.—(1) For the purposes of this Act there shall be established a General Nursing Council for Ireland (in this Act referred to as "the Council"), which shall be a body corporate by that name with perpetual succession and a common seal with power to acquire and hold land without licence in mortmain.

(2) The Council shall be constituted in accordance with the provisions contained in the Schedule to this Act.

(3) The seal of the Council shall be authenticated in the prescribed manner and any document purporting to be sealed with the said seal so authenticated shall be receivable in evidence of the particulars stated in that document.

Register of nurses.

2.—(1) It shall be the duty of the Council to form and keep a register of nurses for the sick (in this Act referred to as "the register") subject to and in accordance with the provisions of this Act.

(2) The register shall consist of the following parts:—

(*a*) a general part containing the names of all nurses who satisfy the conditions of admission to that part of the register;

(*b*) a supplementary part containing the names of male nurses;

(*c*) a supplementary part containing the names of nurses trained in the nursing and care of persons suffering from mental diseases;

(*d*) a supplementary part containing the names of nurses trained in the nursing of sick children;

(*e*) any other prescribed part.

Where any person satisfies the conditions of admission to any supplementary or prescribed part of the register, his name may be included in that part of the register notwithstanding that it is also included in the general part.

(3) A certificate under the seal of the Council duly authenticated in the prescribed manner stating that any person is, or was at any date, or is not, or was not at any date duly registered under this Act shall be conclusive evidence in all courts of law of the fact stated in the certificate.

(4) Any reference in this Act to the register shall, unless the context otherwise requires, be deemed to include a reference to any part of the register, and the expression "registered" shall be construed accordingly.

Rules.

3.—(1) The Council shall make rules for the following purposes:—

(*a*) for regulating the formation, maintenance, and publication of the register;

(*b*) for regulating the conditions of admission to the register;

(*c*) for regulating the conduct of any examinations which may be prescribed as a condition of admission to the register, and any matters ancillary to or connected with any such examinations;

(*d*) for prescribing the causes for which, the conditions under which, and the manner in which nurses may be removed from the register, the procedure for the restoration to the register of nurses who have been removed therefrom, and the fee to be payable on such restoration;

(*e*) for regulating the summoning of meetings of the Council and the proceedings (including quorum) of the Council;

(*f*) for enabling the Council to constitute committees and for authorising the delegation to committees of any of the powers of the Council, and for regulating the proceedings (including quorum) of committees;

(*g*) generally for making provision with respect to any matters with respect to which the Council think that provision should be made for the purpose of carrying this Act into effect (including provision with respect to the issue of certificates to nurses registered under this Act and with respect to the uniform or badge which may be worn by nurses so registered), and for prescribing anything which under this Act is to be prescribed.

(2) Rules under this section shall contain provisions—

(*a*) requiring as a condition of the admission of any person to the register that that person shall have undergone the prescribed training, and shall possess the prescribed experience, in the nursing of the sick; and

(*b*) requiring that the prescribed training shall be carried out either in an institution approved by the Council in that behalf or in the service of the Admiralty, the Army Council, or the Air Council; and

(*c*) enabling persons who, within a period of two years after the date on which the rules to be made under the provisions of this paragraph first come into operation, make an application in that behalf (in this Act referred to as "an existing nurse's application"), to be admitted to the register on producing evidence to the satisfaction of the Council that

they are of good character, are of the prescribed age, are persons who were for at least three years before the first day of November, nineteen hundred and nineteen, bonâ fide engaged in practice as nurses in attendance on the sick under conditions which appear to the Council to be satisfactory for the purposes of this provision and have adequate knowledge and experience of the nursing of the sick.

(3) Rules made under this section shall not come into operation unless and until they are approved by the Chief Secretary.

(4) Every rule made under this section shall be laid before each House of Parliament forthwith, and, if an Address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such rule is laid before it praying that the rule may be annulled or modified, His Majesty in Council may annul or modify the rule and it shall thenceforth be void, and, if modified, it shall thenceforth have effect as so modified, but without prejudice to the validity of anything previously done thereunder.

Staff and expenses.

4.—(1) The Council may, with the previous sanction of the Chief Secretary, appoint a person to act as registrar of the Council, and may, subject to the consent of the Chief Secretary as to numbers, employ such other officers as the Council consider necessary.

(2) There shall be paid to the registrar and the officers of the Council such salaries or remuneration as the Council with the approval of the Chief Secretary may from time to time determine.

(3) Any expenses incurred by the Council in carrying this Act into effect, including expenses in connection with examinations or prosecutions under this Act and, subject as hereinafter provided, the travelling expenses of and sums paid on account of subsistence allowance to members of the Council, shall be defrayed out of the sums received by the Council by way of fees under this Act:

Provided that the amount to be allowed to members of the Council in respect of travelling expenses and subsistence allowance shall be calculated in accordance with directions to be given by the Chief Secretary.

(4) The accounts of the Council shall be audited in such manner, and by such person, as the Chief Secretary may from time to time direct, and copies of the accounts, and of any report made on the accounts, shall be transmitted by the Council to such persons as the Chief Secretary may direct.

Fees.

5.—(1) There shall be paid to the Council in respect of every application to be examined or to be registered under this Act, and in respect of the retention in any year of the name of any person on the register, such fees respectively as the Council may, with the approval of the Chief Secretary, from time to time determine:

Provided that—

(*a*) in the case of an existing nurse's application the amount of the fee payable on the application shall be such sum, not exceeding one guinea, as the Council, with such approval as aforesaid, may determine; and

(*b*) the amount of the fee payable in respect of the retention in any year of the name of any person on the register shall not exceed two shillings and sixpence.

(2) The Council may charge for any certificate or other document issued, or in respect of any services performed, by them, such fees as may be prescribed.

Admission to register of persons trained outside Ireland.

6.—(1) Any person who proves to the satisfaction of the Council that he has been registered either generally as a nurse for the sick or as a nurse of some special class in any part of His Majesty's dominions outside the United Kingdom, being a part of those dominions to which this section applies, shall be entitled, on making an application in the prescribed manner, and paying such fee, not being greater than the fee payable on ordinary applications for registration under this Act, as the Council may demand, to be registered in a corresponding manner under this Act.

(2) This section applies to any part of His Majesty's Dominions as respects which the Council are satisfied—

(*a*) that there is in force therein an enactment, or a provision of any kind having the force of law, providing for the registration of nurses under some public authority;

(*b*) that persons registered under this Act are admitted to the register established under the said enactment or provision on terms not less favourable than those contained in subsection (1) of this section; and

(*c*) that the standard of training and examination required for admission to the register of nurses established under the said enactment or provision is not lower than the standard of training and examination required under this Act.

(3) On the establishment of a register of nurses in England and Wales or Scotland the Council shall make rules under this Act enabling persons registered as nurses in England and

Wales or Scotland, as the case may be, to obtain admission to the register of nurses established under this Act, and, with a view to securing a uniform standard of qualification in all parts of the United Kingdom, the Council shall, before making any rules under this Act with respect to the conditions of admission to the register, consult with any Nursing Councils which may be established by Parliament for England and Wales and for Scotland respectively.

Appeal against removal from register, and against refusal to approve institution.

7.—(1) Any person aggrieved by the removal of his name from the register may, within three months after the date on which notice is given to him by the Council that his name has been so removed, appeal against the removal in manner provided by rules of court to the High Court, and on any such appeal the High Court may give such directions in the matter as it thinks proper, including directions as to the costs of the appeal, and the order of the High Court shall be final and conclusive and not subject to an appeal to any other court.

(2) Any person aggrieved by the refusal of the Council to approve any institution for the purpose of the rules under this Act relating to training may appeal against the refusal to the Chief Secretary, and the Chief Secretary, after considering the matter, shall give such directions therein as he thinks proper, and the Council shall comply with any directions so given.

Penalties for unlawful assumption of title of registered nurse and for falsification of register.

8.—(1) Any person who—

(*a*) not being a person duly registered under this Act, at any time after the expiration of three months from the date on which the Chief Secretary gives public notice that a register of nurses has been compiled under this Act, takes or uses the name or title of registered nurse, either alone or in combination with any other words or letters, or any name, title, addition, description, uniform, or badge, implying that he is registered under this Act or is recognised by law as a registered nurse; or

(*b*) being a person whose name is included in any part of the register, at any time after the expiration of the period aforesaid, takes or uses any name, title, addition, description, uniform or badge, or otherwise does any act of any kind, implying that his name is included in some other part of the register; or

(*c*) at any time with intent to deceive makes use of any certificate of registration as a nurse issued under this Act to him or any other person,

shall be liable on summary conviction to a fine not exceeding, in the case of a first offence, ten pounds, and in the case of a second or any subsequent offence fifty pounds.

(2) If any person wilfully makes, or causes to be made, any falsification of any matter relating to the register, he shall be guilty of a misdemeanour and shall, on conviction thereof, be liable to a fine not exceeding one hundred pounds.

Extent and short title.

9.—(1) Save as otherwise expressly provided in this Act, this Act shall apply to Ireland only.

(2) This Act may be cited as the Nurses Registration (Ireland) Act, 1919.

Section 1.

SCHEDULE.

CONSTITUTION OF COUNCIL.

1. The Council shall consist of fifteen members.

2. On its first constitution the Council shall be composed of the following persons, namely :—

Six persons appointed by the Chief Secretary, after consultation with persons and bodies having special knowledge and experience of training schools for nurses, of the work of matrons of hospitals, of general and special nursing services, and of general and special medical practice :

Nine persons, who are or have at some time been nurses actually engaged in rendering services in direct connexion with the nursing of the sick, appointed by the Chief Secretary after consultation with such associations or organised bodies of nurses or matrons as represent to the Chief Secretary that they desire to be consulted in the matter. The Chief Secretary, in making appointments under this provision, shall have regard to the desirability of including in the Council persons having experience in the various forms of nursing.

3. The first members of the Council shall hold office for such term, not exceeding three years from the commencement of this Act, as the Chief Secretary may determine.

4. After the expiration of the term of office of the first members of the Council, the Council shall be composed of six persons appointed by the Chief Secretary as aforesaid, and of nine persons, being persons registered as nurses under this Act, elected in accordance with the prescribed scheme and in the prescribed manner by the persons so registered at the date of election.

5. Any members of the Council other than the first members thereof shall hold office for a term of five years.

6. If the place of a member of the Council becomes vacant before the expiration of his term of office whether by death, resignation, or otherwise, the vacancy shall be filled by appointment by the Chief Secretary if the vacating member was an appointed member, or by co-option if the vacating member was an elected member.

The Council in co-opting a member under the foregoing provision shall, so far as practicable, select a person, being a person registered as a nurse under this Act, who is representative of the same interests as those represented by the vacating member.

Any person appointed or co-opted to fill a casual vacancy shall hold office only so long as the member in whose stead he is appointed or co-opted would have held office.

7. Any member ceasing to be a member of the Council shall be eligible for re-appointment, re-election, or co-option.

8. The powers of the Council may be exercised notwithstanding any vacancy in their number.

CHAPTER 97.

An Act to make further provision for the acquisition of land for the purposes of Small Holdings, Reclamation, and Drainage, and other purposes relating to Agriculture in Scotland, to amend the Small Landholders (Scotland) Act, 1911, and the enactments relating to Allotments, and otherwise to facilitate land settlement in Scotland.

[23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

PROVISIONS AS TO THE ACQUISITION OF LAND.

Compulsory acquisition of land for purposes of the Small Holding Colonies Acts, 1916 and 1918.

1.—(1) With the consent of the Secretary for Scotland and the Treasury, land may, during the period of two years after the passing of this Act, be acquired compulsorily by the Board of Agriculture for Scotland (in this Act referred to as "the Board") for the purposes of the Small Holding Colonies Acts, 1916 and 1918, and the powers of acquiring land by agreement under those Acts shall be exerciseable during the like period.

(2) The word "experimental" occurring in section one of the Small Holding Colonies Act, 1916, and so much of section eleven of that Act and section one of the Small Holding Colonies Act, 1918, as limits the total area of the land which may be acquired by the Board, or restricts the powers of the Board in acquiring land to taking land on lease, purchasing land in consideration of an annual payment and taking land in feu or requires that three-fourths of the land for the time being acquired shall consist of land suitable to be cultivated as arable land, shall cease to have effect.

6 & 7 Geo. 5. s. 38. 8 & 9 Geo. 5. c. 26.

(3) The Board shall, in addition to the powers conferred on them by the said Acts, have in relation to all land acquired by

them thereunder, whether before or after the passing of this Act and wherever situated, and in relation to the tenants and small landholders occupying such land, the like powers which they possess in relation to land acquired under the Congested Districts (Scotland) Act, 1897, and in relation to the landholders, cottars and fishermen in that Act mentioned.

60 & 61 Vict. c. 53.

Acquisition of land for reclamation or drainage.

2. With the consent of the Secretary for Scotland and the Treasury, the Board may, during the period of two years after the passing of this Act, acquire land, by agreement or compulsorily, for reclamation or drainage, and subsection (4) of section one and section three of the Small Holding Colonies Act, 1916 (which relate to the acquisition of land by agreement under that Act) shall apply for the purposes of this section.

Provisions as to compulsory acquisition of land, and entry on land to be acquired.

3.—(1) For the purpose of the compulsory acquisition of land under the foregoing provisions of this Act, the provisions of the First Schedule to this Act shall have effect.

(2) No order for the compulsory acquisition of land made under the provisions of this Act shall authorise the acquisition of any land which at the date of the order forms part of any park, or of any home farm attached to and usually occupied with a mansion house if the land is required for the amenity or convenience of the mansion house, or of any land which at that date forms part of any garden or pleasure ground, or which is woodland, not wholly surrounded by or adjacent to land acquired by the Board under this Act.

(3) Where an Order for the compulsory acquisition of land has been duly made under the provisions of this Act, then at any time after a notice to treat has been served the Board may, after giving not less than fourteen days' notice to each owner, lessee, and occupier of the land or such part thereof as is specified in the notice, enter on and take possession of the land without previous consent or compliance with sections eighty-three to eighty-eight of the Lands Clauses Consolidation (Scotland) Act, 1845, but subject to the payment of the like compensation for the land of which possession is taken and interest on the compensation awarded as would have been payable if those provisions had been complied with.

8 & 9 Vict. c. 19.

Power to contract to pay feu duty, &c.

4. Where, under the Small Holding Colonies Acts, 1916 and 1918, the Board has power to purchase land in consideration of a feu duty, ground annual, or other annual payment, the Board shall have power and shall be deemed always to have had power to contract to pay the feu duty, ground annual, or other annual payment as and when it becomes due.

Compensation to labourers.

5.—(1) In any case of acquisition of land by the Board under this Act, subsection (5) of section one of the Small Holding Colonies Act, 1916 (which relates to compensation to

labourers), shall apply with the substitution of references to this Act for references to that Act.

(2) Subsection (2) of section five of the Congested Districts (Scotland) Act, 1897 (which confers power upon limited owners to sell land for the purposes of that Act) shall apply to the purchase of land under the Small Holding Colonies Acts, 1916 and 1918, or under this Act, with the substitution of references to those Acts or to this Act, as the case may be, for references to that Act.

Duty of Board with respect to sale or lease of land.

6.—(1) Land acquired by the Board under the Small Holding Colonies Acts, 1916 and 1918, shall be sold or let by the Board at such price or rent as in the opinion of the Board is reasonable.

(2) The Board may give to the tenant of a small holding an option to purchase the holding on such terms as may be agreed and may be consistent with the provisions of this section, and on any such sale any increase in the value of the land due to improvements executed by and at the expense of the tenant shall not be taken into account as affecting the price to be paid for the land.

(3) A tenant of a holding provided by the Board on land acquired by the Board who has been in occupation thereof for a period of not less than six years shall, on notice of his desire to purchase the holding being given to the Board at any time before the tenant has received notice to quit, be entitled to require the sale to him of the holding at the expiration of one month from the date of the notice at the then value of the holding, exclusive of any increase of the value thereof due to any improvement executed thereon by and at the expense of the tenant, and thereupon the Board shall in the first instance sell the holding to the tenant accordingly, unless the Board obtains the consent of the Secretary for Scotland to the requirements of the tenant being refused by the Board.

(4) The value of the holding shall, in default of agreement, be determined by the Scottish Land Court.

(5) Before selling any land which, in the opinion of the Board, is not required for the purposes of this Act, the Board shall, subject as hereinafter provided, offer the land to the person from whom it was purchased or his successor in title at a price to be determined, failing agreement, by the Scottish Land Court:

Provided that, if in the opinion of the Board the land is suitable for afforestation, the Board shall in the first instance consult the Forestry Commission and shall give the Forestry Commissioners an opportunity of acquiring such land.

Powers of Board with respect to land acquired.

7. Without prejudice to any other power conferred on the Board by the Congested Districts (Scotland) Act, 1897, or the Small Holding Colonies Acts, 1916 and 1918, the Board shall

have power in any case where in their opinion it is necessary or expedient so to do for the better carrying into effect the purposes of those Acts or of this Act—

(*a*) to erect, repair, or improve dwelling-houses and other buildings on any land acquired by the Board, or to execute any other improvement on or in connection with and for the benefit of any such land, or to arrange with the tenant or holder of any such land for the execution of any such improvement on such terms as may be agreed:

(*b*) to sell, excamb, or let any such land or any right or interest therein: and

(*c*) generally to manage any such land.

Power of entry to inspect land.

8. The Board, with a view to ascertaining whether any land is suitable for any purpose for which the Board have power to acquire land, may, by writing in that behalf, authorise any person (upon production if so required of his authority) to enter and inspect the land specified in the authority, and not less than four days' clear notice of any intention so to enter and inspect shall be given by the Board to the landlord or to his agent and to the occupiers of the land, and anyone who obstructs or impedes any person acting under and in accordance with any such authority, after such notice has been given, shall be liable on summary conviction to a penalty not exceeding twenty pounds.

PART II.

AMENDMENT OF THE SMALL LANDHOLDERS (SCOTLAND) ACT, 1911.

Amendment of section 7 of Act of 1911. 1 & 2 Geo. 5. c. 49.

9. For subsections (8), (9), (10) and (11) of section seven of the Small Landholders (Scotland) Act, 1911 (in this Act referred to as the Act of 1911), there shall be substituted the following subsections:—

Constitution of small holdings.

"(8)—(*a*) Where the Board are satisfied that there is a demand for small holdings and that suitable land is available for that purpose, it shall be the duty of the Board to prepare a scheme for the constitution of one or more new holdings on such land, to be occupied by new holders upon such terms and conditions not inconsistent with the Landholders Acts as the Board think reasonable.

"(*b*) Every such scheme shall show—

(i) the situation and total area of the land on which one or more new holdings are to be constituted;

(ii) the number and respective situations and areas of the new holdings;

(iii) which, if any, of the existing buildings on the land are to be utilised for the new holdings;

(iv) the water supply for each new holding, including the source from which the supply is to be taken, and any necessary pipes or other works;

(v) the situation and area of any common pasture or grazing to be occupied in connection with the new holdings; and

(vi) the rent of each new holding.

"(*c*) Where the Board are satisfied that there is not available on the land on which the new holdings are to be constituted a supply of water sufficient for the holdings, they may include in the scheme provision for taking and conveying from or through any part of the estate whereof such land forms part such supply of water as may be necessary for the new holdings and which can be taken without detriment to the requirements of the remainder of the estate; and, for the purposes of this section, any land from or through which such supply of water is to be taken or conveyed shall be deemed to be comprised in the scheme.

"(9) Where the Board intend to prepare such a scheme, they shall give notice of their intention to the landlord of any land which is to be comprised therein, and when a landlord has received such notice it shall not be lawful for him, save with the consent of the Board, to let or to enter into any agreement for letting such land or any part thereof until the Board have made an order confirming the scheme, or have abandoned the same:

"Provided that—

(*a*) such disability shall not in any case continue for a longer period than six months from the date of notice, and

(*b*) for any loss sustained by a landlord, tenant, or occupier from the operation of this subsection, the Board shall pay to him such compensation as may be agreed or as may be determined, failing agreement, by the Land Court on the application of either party.

"(10) When the Board have prepared a scheme under this section, they shall intimate the prepared scheme to the landlord, tenant and occupier of any land comprised therein, and shall give to such landlord, tenant and occupier, an opportunity of considering the scheme and of making representations concerning the same to the Board, and after giving to all persons interested an

opportunity of being heard may, with the consent of the Secretary for Scotland, make an order confirming the scheme, in whole or in part, and with or without modification, or may abandon the scheme.

"(11)—(*a*) Where the Board make any such order, they shall notify the same to the landlord, tenant and occupier of any land comprised therein, and shall pay to such landlord, tenant and occupier such compensation for any damage or injury done to him in consequence of and directly attributable to the constitution of new holdings under the scheme (including any damage or injury done to a landlord in respect of an obligation to take over sheep stock at a valuation) as may be agreed or as may be determined, failing agreement, by the Land Court, upon the application of either party, and after giving to all persons interested an opportunity of being heard, and, if they so desire, of leading evidence in the matter.

"(*b*) The compensation payable under this subsection shall not include—

(i) any allowance on account of the constitution of new holdings being compulsory:

(ii) any compensation for injury done to or depreciation in the selling value of the land comprised in the scheme, or of any estate whereof such land forms part, except in so far as the same arises from injury done to or depreciation in the letting value of the land or estate; or

(iii) any compensation for injury done to the value of the sporting rights over such land or estate in so far as it exceeds the estimated value of such rights if the land or estate were put to the full reasonable use for which it could be let under ordinary lease to ordinary agricultural or pastoral tenants:

"(*c*) For the purpose of this subsection, any benefit or relief enhancing the letting value of the land comprised in the scheme or of any estate of which such land forms part resulting to a landlord or to any other person in consequence of and directly attributable to the constitution of new holdings under the scheme upon the one hand shall be set against any damage or injury done to him as aforesaid upon the other hand.

"(*d*) In determining the amount of compensation payable to the tenant of any farm, regard shall be had to the duration of his lease, and in no case shall any allowance for loss of tenant's profits be made in respect of a period exceeding three years.

"(*e*)—(i) Where any compensation has been awarded and the amount thereof determined by the Land Court under this subsection, the Board may, at any time within two months after such determination, resolve to abandon the scheme and withdraw the order, paying to any person any expenses reasonably incurred by him in connection with the making of the order or the claim for compensation, as such expenses may, failing agreement, be determined by the Land Court on the application of either party.

(ii) Subject to the foregoing provision, every order made by the Board for the constitution of new holdings shall be recorded in the Landholders' Holdings Book as if it were an order of the Land Court, and shall thereupon have effect and be enforceable in like manner as an order of the Land Court so recorded.

"(*f*) In any case where the Board have entered into an agreement with a landlord or a tenant or any other person for or in connection with the constitution of one or more new holdings upon land in which such landlord, tenant or other person is interested, the Board may pay to any person so interested, whether a party to the agreement or not, such compensation (or other consideration in money), if any, as the Board consider equitable and consistent with the provisions of this subsection in respect of any damage or injury done to him in consequence of and directly attributable to the constitution of the new holdings, and it may be a term of any such agreement entered into by the Board with a landlord that section seventeen of this Act shall apply in respect of any such new holding as if the holding had been constituted otherwise than by agreement, and in that case the said section shall apply accordingly.

"(*g*) Where any landlord interested represents to the Secretary for Scotland that a prepared scheme ought not to be confirmed, the Secretary may, before giving his consent to the scheme, refer the same to the Land Court for inquiry and report."

Erection of fences.

10. Where the Board make any order for the constitution of new holdings, they shall, if so requested by the landlord, be bound to erect and maintain, or cause to be erected and maintained, such march fence, or fences, as may be necessary to prevent the stock of the landholder straying beyond the limits of the land comprised in the scheme, any dispute as to the necessity for or the adequacy of such fence or fences to be settled failing agreement by the Land Court.

Amendment of section 16 of Act of 1911.

11. For the proviso to subsection (1) of section sixteen of the Act of 1911 (which relates to amendment of law as to

enlargement of holdings) there shall be substituted the following proviso :—

"Provided that all applications for enlargement under section eleven of the Act of 1886 shall be made to the Board, and the provisions of the section of this Act relating to the constitution of new holdings shall, with the necessary modifications, apply as fully for the purpose of applications for enlargement as for the purpose of the constitution of new holdings, and accordingly the Board shall be substituted for the Land Court in sections twelve (except the last paragraph of the said section twelve), thirteen, fourteen, fifteen and twenty-one of the Act of 1886 (except the last two paragraphs of the said section twenty-one), and the said section twenty-one shall be further amended by the omission therefrom of the words 'or otherwise interested in' and of the words 'including heritable creditors holding securities over the same'."

Amendment of section 17 of Act of 1911.

12. Section seventeen of the Act of 1911 (which relates to amendment of law as to vacant holdings) shall be amended by the addition thereto of the following proviso :—

"Provided further that, where a landlord lets a holding otherwise than in compliance with the provisions of this section, the Board shall be entitled to declare the let null and void and without payment of any compensation to treat the holding as if it had been duly constituted a new holding under this Act, or assign the same for the enlargement of a neighbouring holding or holdings."

Amendment of provisions as to bequest and assignment of holding. 49 & 50 Vict. c. 29.

13. For the purposes of section sixteen of the Crofters' Holdings (Scotland) Act, 1886 (which relates to bequest of holding), and of section twenty-one of the Act of 1911 (which relates to assignment of holding), the son-in-law of a landholder shall be deemed to be a member of the landholder's family.

Powers of Land Court as to common pastures or grazings.

14. For subsection (5) of section twenty-four of the Act of 1911 shall be substituted the following subsection :—

"(5)—(*a*) The Land Court may, on the application of the landlord, or landlords, or any landholder, and on such conditions as they consider equitable, apportion a common pasture or grazing into separate parts for the exclusive use of the several townships or persons interested, either as arable ground or as pasture, or as sites for houses or other buildings, if satisfied that such apportionment is for the good of the estate or estates, and of the holdings or tenancies concerned.

"(*b*) The Land Court may, on the like application, or on the application of the Board, and on the like conditions, admit new holders to participate in a common pasture or grazing occupied by existing landholders, statutory small

tenants, or others, or apportion a common pasture or grazing for the exclusive use of new holders, either in common or individually, and either as arable ground or pasture, or as sites for houses or other buildings, if satisfied that such participation or apportionment is for the good of the estate or estates and of the holdings or tenancies concerned.

"(c) The Land Court may, on the application of the Board, and on the like conditions, grant pasture or grazing rights on a common pasture or grazing to cottars who have been in use to pasture or graze stock thereupon."

As to land within burgh in crofting counties.

15. Notwithstanding anything contained in paragraph (c) of subsection (3) of section twenty-six of the Act of 1911, or in the reference to that paragraph in subsection (4) of the said section, a person shall be admissible to registration as a new holder under the Act of 1911 in respect of land within the parliamentary, police, or municipal boundary of any burgh or police burgh situate in the counties of Argyll, Inverness, Ross and Cromarty, Sutherland, Caithness, and Orkney and Shetland.

Power to make advances to land banks, &c.

16. In addition to the purposes mentioned in section six of the Act of 1911, the Board may, on such terms and conditions as they think proper, with the approval of the Secretary for Scotland and the Treasury, apply the Agriculture (Scotland) Fund constituted under section five of that Act in making or guaranteeing advances, either directly or indirectly, to land banks or co-operative or credit societies having for their object or one of their objects the assistance of tenants under Part I. of this Act, landholders, or statutory small tenants, in the stocking, equipment, and profitable working of their holdings.

Consequential and minor amendments of Act of 1911.

17. The amendments specified in the second column of the Second Schedule to this Act (which relate to consequential and minor matters) shall be made in the provisions of the Act of 1911 mentioned in the first column of that schedule.

Part III.

Allotments.

Powers relating to allotments. 55 & 56 Vict. c. 54. 57 & 58 Vict. c. 58.

18.—(1) The powers and duties of county councils under the Allotments (Scotland) Act, 1892 (in this Act referred to as the Act of 1892), shall be transferred to parish councils, and the provisions of Part IV. of the Local Government (Scotland) Act, 1894 (except section twenty-five of that Act), shall apply to the exercise and performance of the powers and duties transferred to or conferred and imposed on parish councils by this Part of this Act as if they had been conferred and imposed by the said Part IV. of that Act.

(2) The powers and duties conferred and imposed on town councils by this Part of this Act shall be exercised and performed as if they had been conferred and imposed by the Act of 1892, and all expenses incurred by a town council under that Act shall be defrayed out of the public health general assessment or out of moneys borrowed on the security of that assessment, under and subject to the provisions of the Public Health (Scotland) Act, 1897, relating to that assessment and to money so borrowed.

60 & 61 Vict. c. 38.

(3) The Board may, with the approval of the Secretary for Scotland, apply moneys out of the Agriculture (Scotland) Fund to an amount not exceeding four thousand pounds in any one year for the purpose of encouraging and developing the provision of allotments throughout Scotland in such manner as they think fit.

Allotments consultative committees in certain burghs.

19. In the case of every burgh where the Secretary for Scotland so requires, it shall be the duty of the town council annually to appoint a committee, which may consist in whole or in part of persons who are not members of the council, to consult with the council on matters relating to the provision, equipment, and management of allotments.

Land for allotments.

20. If a local authority are unable by agreement to acquire by purchase or leasing suitable land for allotments at a reasonable price or rent and subject to reasonable conditions, the authority may apply to the Board for an order for the compulsory acquisition by purchase or leasing of the land specified in the application, and for the purpose of such acquisition the provisions of the First Schedule to this Act shall have effect.

Temporary use for allotments of land acquired for other purposes.

21. Where any land belonging to a local authority is not immediately required for the purpose for which it was acquired, and is in the opinion of the authority suitable for temporary use in the form of allotments, the authority may, with the consent of the Secretary for Scotland, make the land available for such use, subject to any necessary conditions and restrictions as to tenure and otherwise.

Provisions as to allotments.

22.—(1) A local authority may purchase any fruit-trees, seeds, plants, fertilizers, or implements required for the purposes of allotments cultivated as gardens, whether provided by the authority or otherwise, and sell any article so purchased to the cultivators, or, in the case of implements, allow their use, at a price or charge sufficient to cover the cost of purchase:

Provided that the powers conferred by this subsection shall be exerciseable only where, in the opinion of the authority, the facilities for the purchase or hire of the articles aforesaid from a society on a co-operative basis are inadequate.

(2) Any person who by any act done without lawful authority or by negligence causes damage to any crops growing on an allotment cultivated as a garden shall be liable on summary conviction to a penalty not exceeding five pounds.

(3) Stamp duty shall not be payable on any lease or agreement for the letting of any allotment or garden, whether provided by a local authority or otherwise, or on any duplicate or counterpart of such lease or agreement, where the rent does not exceed ten shillings per annum, and no consideration other than the rent is paid.

Consequential and minor amendments of Act of 1892.

23. The amendments specified in the second column of the Third Schedule to this Act (which relate to consequential and minor matters) shall be made in the provisions of the Act of 1892 mentioned in the first column of that schedule.

Interpretation.

24. In this Part of this Act, the expression "parish council" has the same meaning as in Part IV. of the Local Government (Scotland) Act, 1894, and the expression "local authority" has the same meaning as in the Act of 1892.

Commencement of Part III. of Act.

25. This Part of this Act shall come into operation on the first day of January, nineteen hundred and twenty.

PART IV.

FINANCIAL.

Loans to Board.

26.—(1) The Board may borrow money as in this section provided for the acquisition and adaptation of land for the purposes of Part I. of this Act, and for the adaptation of land for landholders under the Act of 1911.

(2) During the period from the commencement of this section to the expiration of two years after the passing of this Act, the Treasury may issue to the Public Works Loan Commissioners out of the Consolidated Fund of the United Kingdom or the growing produce thereof, sums not exceeding in the aggregate two million seven hundred and fifty thousand pounds, and the Public Works Loan Commissioners may make loans to the Board out of the sums so issued on such terms and conditions as the Treasury may prescribe.

(3) At the end of the financial year ending on the thirty-first day of March in the year nineteen hundred and twenty, and of each subsequent year, the Board shall submit to the Treasury, in such form as the Treasury may prescribe, a statement of the loss (if any) which has been reasonably or necessarily incurred by the Board during the financial year so far as such loss relates to expenditure out of loans under this section, and the amount of such loss, to the extent approved by the Treasury, shall be paid out of moneys provided by Parliament.

(4) If the Treasury so prescribe, and subject to any regulation which may be made by the Treasury, any moneys lent to the Board under this section may be paid into and administered as part of the Agriculture (Scotland) Fund constituted under section five of the Act of 1911.

(5) References in this section to Part I. of this Act include references to the Congested Districts (Scotland) Act, 1897, and the Small Holding Colonies Acts, 1916 and 1918, and the expression "adaptation of land" includes the taking over of sheep stock at a valuation and all operations carried out on the land by the Board under their statutory powers.

(6) This section shall be deemed to have had effect as from the first day of April nineteen hundred and nineteen.

Further money to be placed at disposal of Board.

27. In addition to the sums not exceeding one hundred and eighty-five thousand pounds specified in section five of the Act of 1911 there shall be placed at the disposal of the Board for the purposes specified in section six of the said Act, during each of the ten years commencing the first day of April in the year nineteen hundred and twenty, a sum not exceeding fifteen thousand pounds, annually voted by Parliament for the said purposes; and any sums so voted shall be paid into and administered as part of the Agriculture (Scotland) Fund constituted under section five of the said Act.

PART V.

GENERAL.

Preference for persons who have served in war.

28. During the period of two years after the passing of this Act, it shall be the duty of the Board, in selecting persons to be settled on any land belonging to the Board, and in considering applications for the registration of new holders or the enlargement of existing holdings under the Small Landholders (Scotland) Acts, 1886 to 1911, as amended by this Act, to give preference to suitable persons who have served in the forces of the Crown in the present or in any previous war.

Advances to tenants of small holdings.

29. During the period of two years after the passing of this Act, and subject to the provisions of any regulations made by the Treasury, the Board may make or provide for making or guarantee an advance by way of loan to any tenant of a small holding provided by the Board under the Small Holding Colonies Acts, 1916 and 1918, or to any new holder of a small holding under the Small Landholders (Scotland) Acts, 1886 to 1911, as amended by this Act, who is registered as such after the passing of this Act, of such sums as the Board think necessary for the purchase of live stock, seeds, fertilisers, and implements required for the purposes of the holding; and the making or provision for the making of such advances shall be a purpose for which the Board may borrow money under the section of this Act relating to loans to the Board.

Provisions as to land taken under the Defence of the Realm Regulations. 6 & 7 Geo. 5. c. 63.

30.—(1) For removing doubts it is hereby declared that section one of the Defence of the Realm (Acquisition of Land) Act, 1916, applies to land of which possession has been taken by the Board under the powers conferred by regulations 2L and 2M of the Defence of the Realm Regulations, and that the Board are entitled whilst in possession, by themselves or by any person deriving title under them, of the land, after the termination of the present war, to exercise in relation thereto any of the powers conferred by those regulations for such term and subject to such conditions as are mentioned in the said Act.

(2) Where at the termination of the present war a local authority are exercising powers under the said Regulation 2L in respect of land of which the local authority are owners or occupiers, the local authority may continue to exercise those powers in relation to that land until the expiration of two years from the termination of the present war, and the provisions of paragraph (6) of the said regulation shall apply accordingly.

Construction.

31.—(1) This Act, so far as it amends the Act of 1911, shall be construed as one with that Act, and references in this Act to that Act or to any provision of that Act shall be construed as references to that Act or provision as amended by this Act.

(2) References in this Act to the Act of 1892 shall be construed as references to that Act as amended by this Act.

(3) References in this Act to the Small Holdings Colonies Acts, 1916 and 1918, shall be construed as references to those Acts as amended by this Act.

Repeal.

32. The enactments mentioned in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

Citation.

33. This Act may be cited as the Land Settlement (Scotland) Act, 1919, and the Small Landholders (Scotland) Acts, 1886 to 1911, and so much of this Act as amends the Act of 1911 may be cited together as the Small Landholders (Scotland) Acts, 1886 to 1919.

SCHEDULES.

FIRST SCHEDULE.

Sections 3 and 20.

PROVISIONS AS TO THE COMPULSORY ACQUISITION OF LAND.

(1) Where under this Act the Board propose to acquire land compulsorily or to provide for the compulsory acquisition of land by a local authority, the Board may prepare an Order putting in force as respects the land specified in the Order the provisions of the Lands

Clauses Acts with respect to the purchase and taking of land otherwise than by agreement.

(2) The Order shall be in the prescribed form, and shall contain such provisions as may be prescribed for the purpose of carrying the Order into effect, and shall incorporate, with any necessary adaptations, the Lands Clauses Acts (except the provisions thereof relating to the sale of superfluous lands), and sections seventy to seventy-eight of the Railways Clauses Consolidation (Scotland) Act, 1845, and those Acts shall apply accordingly.

8 & 9 Vict. c. 33.

(3) The Order shall be published by the Board in the prescribed manner, and such notice as may be prescribed shall be given both in the locality in which the land specified in the Order is situate, and to the owners or reputed owners, lessees or reputed lessees, and occupiers of that land.

(4) Any person having a right or interest in the land specified in the Order may, within the prescribed period, present in writing to the Board an objection to the making of the Order.

(5) If within that period no such objection has been so presented, or every such objection so presented has been withdrawn, the Board may, subject to the approval of the Secretary for Scotland, forthwith make the Order; but, if any such objection has been duly presented and has not been withdrawn, the Board shall take the same into consideration, and, after such inquiry (if any) as they think fit, may either withdraw the Order, without prejudice to the preparation and making of a new Order, or may make the Order with or without modification, subject to the approval aforesaid.

(6) In the case of an Order providing for the compulsory acquisition by leasing of land for allotments—

9 & 10 Geo. 5. c. 57.

(*a*) the provisions of the Acquisition of Land (Assessment of Compensation) Act, 1919, so far as applicable to compulsory leasing, shall apply with the necessary modifications; and

(*b*) the provisions of section twenty-six of the Local Government (Scotland) Act, 1894, shall apply with the necessary modifications; and in such application references to a parish and to a parish council shall include references respectively to a burgh and to a town council; references to the county council and to the Local Government Board for Scotland shall be construed as references to the Board; references to section twenty-five of the said Act of 1894 shall be construed as references to this schedule; and the reference to allotments last occurring in subsection (1) of the said section twenty-six shall include a reference to common pasture.

(7) Any Order made under this schedule with the approval of the Secretary for Scotland shall have effect as if enacted by Parliament.

(8)—(*a*) In construing, for the purposes of this schedule, or any Order made thereunder, any enactment incorporated with the Order, this Act together with the Order shall be deemed to be the Special Act, and the Board or the local authority, as the case may be, shall be deemed to be the promoters of the undertaking.

(*b*) In this schedule, the expression "land" includes water and any right or servitude to or over land or water, and "prescribed" means prescribed by the Secretary for Scotland.

SECOND SCHEDULE.

Section 17.

MINOR AND CONSEQUENTIAL AMENDMENTS OF THE ACT OF 1911.

Enactment to be amended.	Amendment.
Small Landholders (Scotland) Act, 1911 (1 & 2 Geo. 5. c. 49).	
Section 7	At the end of subsection (6) the following words shall be inserted:—"nor shall the rent payable in respect of a new holding constituted by a scheme made under this section be so altered for a like period". In subsection (12) for the words "Land Court" there shall be substituted the word "Board". At the end of subsection (18) the following words shall be inserted:—"and any other land which has been or may be acquired by the Board".
Section 24	In subsection (3) after the words "or the Land Court," there shall be inserted the words "or the Board," and after the words "from the Land Court", there shall be inserted the words "or from the Board".
Section 35	For the words "Land Court" there shall be substituted the word "Board."

THIRD SCHEDULE.

Section 23.

MINOR AND CONSEQUENTIAL AMENDMENTS OF THE ACT OF 1892.

Enactment to be amended.	Amendment.
The Allotments (Scotland) Act, 1892 (55 & 56 Vict. c. 54).	
Section 2	For the word "county," wherever occurring, there shall be substituted the word "parish".
Section 3	In paragraphs (*a*) and (*b*) of subsection (5), and in subsection (7), for the words "local authority," wherever occurring, there shall be substituted the words "Board of Agriculture for Scotland," and for the words "a provisional order," wherever occurring, there shall be substituted the words "an order".
Section 12	For the words "any parish in their county" there shall be substituted the word "parish".
Section 14	For the word "county," wherever occurring, there shall be substituted the word "parish".
Section 16	In the definition of "local authority," for the words "in a county the county council" there shall be substituted the words "elsewhere than in a burgh the parish council".

Section 32.

FOURTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
55 & 56 Vict. c. 54.	The Allotments (Scotland) Act, 1892.	In subsection (1) of section two, the words "in some parish," the words "for the labouring population," the words "in any parish," and the words "belonging to the labouring population". Subsections (2), (3) and (4) of section three. Section four. Subsection (2) of section seven. Section ten. In section eleven, the proviso to subsection (2), and subsection (3). In section twelve, the word "labouring". Section thirteen.
57 & 58 Vict. c. 58.	The Local Government (Scotland) Act, 1894.	In section twenty-four, the first paragraph of subsection (4).
1 & 2 Geo. 5. c. 49.	The Small Landholders (Scotland) Act, 1911.	Subsection (6) of section four. Subsections (2), (3), (4) and (5) of section seven. In subsection (7) of section seven, the words "upon consideration of a report by the Commissioner for Small Holdings". In section seventeen, the words "subject to the like procedure and right of alternative arbitration as provided in subsection (11) of section seven of this Act".
6 & 7 Geo. 5. c. 38.	The Small Holding Colonies Act, 1916.	In section one, as respects Scotland, the words "During the continuance of the present war and a period of twelve months thereafter," and the word "experimental". Paragraph (c) of section eleven.
8 & 9 Geo. 5. c. 26.	The Small Holding Colonies (Amendment) Act, 1918.	Section one from "and paragraph (c)" to "the same in feu."
9 & 10 Geo. 5. c. 57.	The Acquisition of Land (Assessment of Compensation) Act, 1919.	In section eleven, paragraph (a) of subsection (1).

CHAPTER 98.

An Act relating to the Union of Benefices.

[23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Bishop on request of Ecclesiastical Commissioners to issue commission as to union of neighbouring benefices.

1. Whenever it shall appear to the Ecclesiastical Commissioners, whether on their own motion or any representation made to them, that inquiry ought to be made as to the desirability of uniting two or more benefices, or one or more benefice or benefices, and one or more sinecure or sinecures, being either in the same parish or neighbouring to each other, they may address a request to the Bishop of the diocese, in which that one of those benefices which has the largest population shall be situate, to cause a commission to be issued under his hand and seal addressed to the persons to be nominated as in the next section mentioned, authorising and requiring them to inquire and report to him whether such union may, with advantage to the interests of religion, be made, and to inquire into and report on all such matters in anywise affecting such union, or connected therewith, as they may deem necessary, and to recommend terms for effecting any union in favour of which they report, including the regulation of the course and succession in which the patrons (if there be more than one patron) shall present or nominate to the united benefice from time to time as the same shall become vacant. The Bishop shall thereupon issue the commission, and the commissioners shall thereupon make a local inquiry in the prescribed manner as to the matters referred to them.

Commission, how to be nominated.

2.—(1) Of the commissioners one shall be nominated by the Bishop of the diocese in which the benefice or benefices, and sinecure or sinecures (if any) affected by the proposed inquiry are situate, or in case the benefices are situate in more than one diocese then jointly by the Bishops of those dioceses; one shall be nominated by the patron or, if there shall be more than one patron, jointly by the patrons of the benefice or benefices and sinecure or sinecures affected; one shall be nominated by the churchwardens (if any) of the benefice or benefices affected or by the major part of them; and the remaining commissioner (who shall act as chairman and shall have a casting vote in addition to his vote as a commissioner) shall be nominated by the Ecclesiastical Commissioners.

Proviso.

(2) Provided that, if the Bishop of the diocese in which any benefice or sinecure affected by the proposed inquiry is situate shall also be the sole patron of that benefice or sinecure, the right of nomination by the Bishop in his capacity of patron shall be exercised by the patron or patrons of the other benefice or benefices affected.

(3) Provided also that, if the Bishop of the diocese in which each of the benefices or sinecures affected is situate shall be the sole patron of that benefice or sinecure, there shall be no commissioner nominated by the patrons.

(4) If for a period of thirty days after being requested in writing by the Bishop to nominate a commissioner the patron or patrons or the churchwardens or the major part of them shall refuse or neglect so to do, his or their right of nomination shall lapse, and the commission shall be issued and shall be valid for all purposes notwithstanding any such lapse.

Power to Lord Chancellor to make rules.

3. The Lord Chancellor, with the advice and assistance of the Ecclesiastical Commissioners, may make rules for prescribing anything which under this Act is to be prescribed and in particular for—

(i) regulating the place and time of the sittings of the commissioners, and as to the quorum necessary;

(ii) the taking of evidence, and hearing by the commissioners of objections;

(iii) the notices (if any) to be given of their sittings to the incumbents, patrons, churchwardens or other persons interested, and the service of such notices;

(iv) the filling of vacancies in the number of commissioners, and the time within which the commissioners are to make their report;

(v) the payments (if any) to be made towards the costs and expenses incurred in the matter by any Bishop or by the Ecclesiastical Commissioners, or by the commissioners or the persons appearing before them;

(vi) the registration and inspection in the diocesan registries or elsewhere of Orders in Council made under this Act;

(vii) the fees to be paid to diocesan or other officials; and

(viii) generally as to all matters and things incidental to or connected with the holding of local inquiries, appeals to His Majesty in Council, and the publication or registration of draft schemes, schemes, or orders made under this Act.

Bishop to transmit report of commissioners to Ecclesiastical Commissioners who are to propose scheme.

4.—(*a*) The Bishop receiving a report under this Act shall cause the same, or a copy thereof, to be transmitted to the Ecclesiastical Commissioners, who shall, if the Commissioners making the report shall unanimously or by a majority of votes recommend a union, and if the Bishop of the diocese or the Bishops of the dioceses affected shall signify in writing his or their approval of the report, but not otherwise, cause to be prepared a scheme based upon the terms recommended for effecting the proposed union, which scheme may, with the assent of the Bishop of the diocese or the Bishops of the dioceses affected, embody any modification of the proposals.

(*b*) Drafts of such proposed scheme shall be published locally in the prescribed manner, and also be transmitted in the prescribed manner to the patron or patrons affected, together with a notice in each case requiring any objections to such draft scheme to be stated or transmitted in writing to the Ecclesiastical Commissioners within the prescribed time. Draft scheme to be published locally. Objections.

(*c*) After giving full consideration to such objections (if any), and after making such alterations (if any) in the draft scheme as, having regard to such objections, they shall deem right, and after submitting such alterations (if any) to the Bishop of the diocese or the Bishops of the dioceses affected, and obtaining his or their consent thereto in writing, the Ecclesiastical Commissioners (unless, after full consideration, they shall think it advisable to withdraw the scheme) shall certify the scheme, and the consent thereto in writing of the Bishop of the diocese or the Bishops of the dioceses affected, to His Majesty in Council. Ecclesiastical Commissioners to certify final scheme to the King in Council.

5.—(1) After the scheme and consent shall have been certified as aforesaid public notice of such certification shall be given in the prescribed manner and within the prescribed time, and any person who has, in accordance with this Act, made objection to the draft scheme may appeal to His Majesty in Council against the scheme, or any part thereof. Appeals to His Majesty in Council.

(2) If no appeal is so made within the period of one month after the date of the said public notice, it shall be lawful for His Majesty in Council to make and issue any order or orders for affirming the scheme, and for uniting the benefices and parishes proposed to be united to the extent and for the purposes recommended in the scheme.

(3) If any appeal is so made, His Majesty in Council may order and direct that such appeal shall be heard by the Judicial Committee of the Privy Council and the said Judicial Committee shall make report to His Majesty in Council thereupon and may propose to His Majesty in Council to affirm, vary, or dismiss the scheme certified by the Ecclesiastical Commissioners or to return the same to the Ecclesiastical Commissioners for alteration or amendment and His Majesty may affirm, vary, or dismiss the scheme accordingly or return the same to the Ecclesiastical Commissioners to be reconsidered as to any parts thereof.

6. Every scheme under this Act for the union of any benefices shall recommend that the benefices proposed to be united shall become permanently united together and form one benefice with cure of souls, and either (*a*) that the parishes or places of which the benefices proposed to be united shall consist shall be united into one parish for ecclesiastical purposes and for such other purposes as in this Act provided, or (*b*) that such parishes or places shall continue distinct in all respects except as provided by this Act. Every such scheme, if the united benefice shall be in more than one diocese, shall determine to which diocese the united benefice shall belong. Scheme to determine whether or not parishes shall remain distinct.

Parsonage house of united benefice.

7. Every scheme under this Act for the formation of an united benefice, if more than one parsonage house shall be left standing or remaining within or belonging to the united benefice, shall determine which house shall be the parsonage house of the united benefice, but, if only one parsonage house shall be left standing, such house shall be the parsonage house of the united benefice.

Parish church of united parish.

8. Every scheme under this Act for the formation of an united parish shall, if more than one church shall be left standing or remaining within the united parish, also determine which church shall be the parish church, but, if only one church shall be left standing, such church shall be the parish church of the united parish.

Union of Benefices Acts Amendment Act, 1871, to apply to church and churchyard of benefice united under this Act. 34 & 35 Vict. c. 90.

9. After completion of an union of benefices the Union of Benefices Acts Amendment Act, 1871, shall apply to the united benefice as regards any church within the united benefice not directed by the scheme to be pulled down, and the churchyard of any such church.

Scheme to define contingency on which union is to take effect and may contain provisions as to appointments of incumbents pending union.

10.—(1) In any scheme for union prepared under this Act the Ecclesiastical Commissioners shall define the event or contingency on the happening of which the union is to take effect, but not so as to postpone the union later than the date of the first avoidance of that one of the benefice or benefices, sinecure or sinecures, proposed to be united which shall last be avoided after the publication of the order or orders in the London Gazette relating to the same.

(2) The Ecclesiastical Commissioners may, if they think fit, insert in the scheme provisions requiring that in any case in which the benefice or benefices and sinecure or sinecures (if any) proposed to be united are not at the date of the registration of such order or orders all held by the same incumbent, then on any avoidance before the happening of the event, or contingency, the patron of the vacant benefice or sinecure shall be bound to present, or nominate, and the bishop shall be bound to admit and institute, or license to the vacant benefice or sinecure, the incumbent of the other, or one of the other benefices, sinecure or sinecures, proposed to be united.

Ecclesiastical Commissioners may decide doubtful questions of patronage.

11. If in any case it shall, in the opinion of the Ecclesiastical Commissioners, be doubtful what person or corporation is the patron for the purposes of this Act, it shall be lawful for the Ecclesiastical Commissioners to decide the question, and their decision shall be conclusive.

Supplemental schemes for uniting parishes of united benefices.

12.—(1) If after an union of benefices, whether made under this Act or not, it shall appear desirable to the Ecclesiastical Commissioners, whether on their own motion or on any representation made to them—

(*a*) that in the case of an united benefice, of which the parishes shall not have been united, those parishes,

or any two of them, should be united for ecclesiastical purposes, and for such other purposes as in this Act provided; or

(*b*) that in the case of an united benefice, of which the parishes shall have been united, some other church situate within the united benefice shall be substituted for the parish church of the united parish; or

(*c*) that in the case of an united benefice, of which the parishes shall not have been united, some other church situate within any parish forming part of the united benefice shall be substituted for the parish church of that parish,

they may request the Bishop of the diocese in which the united benefice shall be situate to cause a commission to be issued to commissioners to inquire into and report upon the desirability of those parishes being so united, or such substitution being made, as the case may be, and upon all matters arising from any union of parishes or substitution of a church which they may recommend.

(2) The Bishop shall thereupon issue the commission to commissioners appointed in like manner as commissioners nominated or appointed to inquire into and report upon a proposed union of benefices under this Act, and the same consequences, mutatis mutandis, as to the inquiry and report by such commissioners, the preparation, publication, and certification to His Majesty in Council of a scheme to give effect to the report, the issuing of an Order or Orders by His Majesty in Council, and the registration and validity thereof shall follow as in the case of commissioners having been appointed under this Act to inquire into and report upon a proposed union of benefices.

Administration of expenses fund.

13.—(1) In administering the fund to be provided by the Ecclesiastical Commissioners for expenses under this Act, the Ecclesiastical Commissioners shall cause a separate account to be kept for each diocese, and all moneys received for or appropriated to the said fund shall be credited to the account of the diocese in which the benefice or sinecure from the property or revenues of which such moneys arise shall be situate, and the moneys so credited to the account of any diocese shall not be applicable to the payment of any expenses except expenses incurred or to be incurred in relation to proposals and schemes affecting benefices or sinecures in that diocese.

(2) After providing and appropriating to the credit of any diocese a fund sufficient in their opinion to meet all expenses already incurred or to be incurred under this Act in relation to that diocese, the Ecclesiastical Commissioners shall, with the consent in writing of the Bishop, apply the surplus of the moneys so set apart for the benefit of any benefice or benefices in that diocese to whose benefit the Ecclesiastical Commissioners may with such consent think fit to apply the same.

(3) In case at any time, or from time to time, the moneys standing to the credit of a diocese under this section shall not be sufficient to pay the expenses incurred in relation to a proposal or scheme affecting a benefice or sinecure in that diocese, the Ecclesiastical Commissioners may, if they think fit, pay such expenses, or any part thereof, out of their common fund.

Bishop may give direction as to services in church not being parish church.

14. It shall be lawful for the Bishop from time to time to direct that services shall or shall not be held in any church in a benefice united under this Act or otherwise not being a parish church.

Bishop may require nomination of curate.

15. In any case in which the affirmed scheme shall recommend the appointment of a curate to assist in performing the duties of the united benefice, the Bishop shall have the like powers of requiring the nomination of and of appointing and licensing a curate, and of assigning a stipend to such curate as he would have under section thirteen of the Pluralities Act Amendment Act, 1885, in the cases therein mentioned, subject nevertheless to the like right of appeal as is provided under that section, but without regard to the annual value or population of the united benefice.

48 & 49 Vict. c. 54.

Repeals.

16. Sections sixteen to twenty (inclusive) of the Pluralities Act, 1838, are hereby repealed, but this repeal shall not affect any proposed union in respect of which a statement of facts or copy representation shall, before the passing of this Act, have been published pursuant to section sixteen of the Pluralities Act, 1838, nor any future union under the last-mentioned Act of any benefice or sinecure situate in the metropolis within the meaning of the Union of Benefices Act, 1860, with any benefice or sinecure situate outside the metropolis.

1 & 2 Vict. c. 106.

23 & 24 Vict. c. 142.

Incorporation of certain enactments.

17. The sections of the Acts specified in the first column of the Schedule to this Act, of which the numbers and marginal notes are respectively set forth in the second and third column of that schedule, are hereby incorporated with and form part of this Act, and the said sections shall, so far as applicable, extend and apply to unions of benefices under this Act as fully and effectually as if such sections had been re-enacted subject to the modifications set out in the fourth column of that schedule.

Definitions.

18. In this Act, unless the context otherwise requires:—

The expression "benefice" shall be understood and taken to mean benefice with cure of souls and no other, and shall comprehend all parishes, perpetual curacies, endowed public chapels, parochial chapelries, and chapelries or districts belonging to or reputed to belong or annexed or reputed to be annexed to any church or chapel, anything in any other Act to the contrary notwithstanding;

The expression "sinecure" means a spiritual sinecure, rectory or vicarage;

The expression "union of benefices" means an union of two or more benefices, or of one or more benefice or benefices, and one or more sinecure or sinecures under this Act, whether or not the parishes or places to which such benefices belong shall be united, and the expression "united benefice" has a corresponding meaning;

The expression "united parish" means the parishes or places which in consequence of an union of benefices shall have become united for ecclesiastical purposes under this Act;

The expression "the commissioners" means the commissioners nominated under this Act;

The expression "patron," with reference to any benefice or sinecure, has the same meaning mutatis mutandis as in the Ecclesiastical Dilapidations Act, 1871, but so that the word "present" in section three of that Act shall be read as meaning "present or nominate"; 34 & 35 Vict. c. 43.

The expression "Bishop," in relation to the diocese of an Archbishop, includes the Archbishop;

The expression "prescribed" means prescribed by rules made in pursuance of this Act.

Benefices not to be united except under Act.

19. From and after the passing of this Act it shall not be lawful to unite two or more benefices into one benefice in any other manner than is hereinbefore provided, but nothing in this Act shall affect any union to be made under the powers of any Act applying only to a particular locality or to particular localities.

Short title and extent.

20.—(1) This Act may be cited as the Union of Benefices Act, 1919.

(2) Nothing in this Act shall affect or apply to any benefice or sinecure situate in the metropolis within the meaning of the Union of Benefices Act, 1860.

(3) No commission shall be issued under this Act after the thirty-first day of December nineteen hundred and twenty-one.

SCHEDULE.

Section 17.

ENACTMENTS INCORPORATED.

Act.	Section	Marginal Note.	Modification.
Union of Benefices Act, 1860.	10	Part of a benefice or united benefice may be severed and included in scheme.	The words "And whenever "in this Act" and remainder of section following those words shall be omitted, and there shall be substituted "the "patron of any benefice

Act.	Section.	Marginal Note.	Modification.
Union of Benefices Act, 1860—*cont.*			" of which it is proposed " to sever a portion " under this Act shall " have the like right of " nominating or joining " in the nomination of " one of the commis- " sioners as he would " have had if the entire " benefice were the sub- " ject of an inquiry " under this Act."
	11	Surplus revenue of united benefice may be annexed as an endowment to any other benefice in the Metropolis or its vicinity.	For "benefices" wherever that word occurs, there shall be substituted "benefice or benefices " sinecure or sine- " cures."
			For " specified benefice in " the Metropolis or in " the vicinity thereof " there shall be substituted " benefice in the " same diocese as the " benefice or benefices, " sinecure or sinecures, " to which the endow- " ments to be charged " or transferred shall " belong."
			The words " of the vestries " of the parishes to be " affected thereby and " shall be omitted.
			After " the diocese " there shall be inserted " or " the bishops of the " dioceses."
			The words " Provided that " the amount " and the remainder of the section following those words shall be omitted.
	13	Orders in Council to be published in the " Gazette " and registered, and to have force of law.	After " diocese " there shall be inserted " to " which the united bene- " fice shall be deter- " mined to belong."
	14	Scheme may provide for erection of new church or parsonage, removal of old church or parsonage, sale of site, &c.	For " church of the united " benefice " there shall be substituted " church " of the united parish, or " one of the churches of " the united benefice in " case the same shall not " be an united parish."

Act.	Section.	Marginal Note.	Modification.
Union of Benefices Act, 1860—*cont.*			The words "provided "always" and the remainder of the section following those words shall be omitted, and the following words shall be inserted: "Pro- "vided that no scheme "made under this Act "shall authorise the "pulling down of any "church not being "situate within a "city or municipal "borough."
	15	Schemes to be laid before Parliament.	After "Provided always "that" there shall be inserted "in case one or "more of the benefices "to be united shall be "situated in a city or "municipal borough."
	17	Site of church pulled down not to be sold or let without certain consents.	After "churchwardens of "the united parish" there shall be inserted "or if the parishes "shall not be united of "one of the church- "wardens of the church "to be pulled down."
		Removal of remains of persons interred and of monuments.	After "church to be con- "stituted the church of "the united parishes" there shall be inserted "or if the parishes "shall not be united, "the other church, or "if there shall be more "than one other church, "one of the other "churches, of the united "benefice."
	20	Estates, &c., of parishes united to remain distinct as before union, except as affected by this Act, &c.	
	21	Property belonging to separate parishes how to be applied.	After "except that" there shall be inserted "in the "case of an united "parish."
	22	Fund for payment of expenses of carrying Act into execution.	After "they shall" there shall be inserted "in "respect of each dio- "cese."

Act.	Section.	Marginal Note.	Modification.
Union of Benefices Act, 1860—*cont.*			After "scheme and order "under this Act" there shall be inserted "affecting a benefice or "sinecure in that diocese." After "the whole or such portion" there shall be inserted "if any." The expression "they may "think proper" shall be substituted for the expression "they may "think sufficient." After "all the proposals "and schemes" there shall be omitted "for "the union of benefices," and there shall be inserted "affecting "any benefice or sinecure in that diocese." After "proposed union" there shall be omitted "of benefices," and there shall be inserted "affecting any benefice or "sinecure in that diocese." The words "And after "providing a sufficient "fund" and the remainder of the section following those words shall be omitted.
	23	Scheme to be valid notwithstanding informalities or omissions.	
	25	Supplemental orders may be made.	
	26	Bishop may prepare a scheme as to lectures customarily preached in churches which may be pulled down, &c.	The words "and by the "vestries of the parishes "affected thereby" shall be omitted wherever those words occur.
	27	Bishop of diocese may direct churches to be reseated, &c.	For "in the city or town" there shall be substituted "in the neighbourhood."

Act.	Section.	Marginal Note.	Modification.
Union of Benefices Act, 1860—*cont.*	28	Appropriation of seats in church of united parish.	After "union of benefices" there shall be inserted "in which the parishes shall be united."
	29	Property to be sold shall vest in Ecclesiastical Commissioners and church of united parish in incumbent.	
	30	Disunion of united benefices, 1 & 2 Vict. c. 106.	
Union of Benefices Acts Amendment Act, 1871.	4	Site of disused church to be preserved. Burials.	

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CHAPTER 99.

An Act to make further provision for the better housing of the people, to authorise the acquisition of land for the development of garden cities or for the purposes of town-planning schemes, and to make further provision with respect to the borrowing powers of public authorities and bodies and with respect to the securities issued by them. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision for payment of money to persons constructing

1.—(1) Subject to the provisions of this Act, the Minister of Health (in this Act referred to as "the Minister") may, in accordance with schemes made by him with the approval of the Treasury, make grants out of moneys provided by Parliament to any persons or bodies of persons constructing houses.

(2) Grants under this section shall be made only in respect of houses—

(*a*) which comply with the conditions prescribed by the Minister and are in material accordance with the conditions as to the number of houses per acre and the standards of structural stability and sanitation approved by the Minister in the case of any scheme

submitted by a local authority under section one of the Housing, Town Planning, &c. Act, 1919;

9 & 10 Geo. c. 35.

(*b*) which are certified by the local authority of the area in which the houses are situate, or on appeal by the Minister, to have been completed in a proper and workmanlike manner;

(*c*) the construction of which is begun within twelve months after the passing of this Act and which are completed within that period or such further period not exceeding four months as the Minister may in any special case allow:

Provided that a proportionate reduction of the grant shall be made in respect of any house which is not completed within the said period of twelve months unless the Minister is satisfied that the failure to complete the house within that period was due to circumstances over which the person constructing the house had no control.

Any person aggrieved by the refusal or neglect of a local authority to grant a certificate under this subsection in respect of any house may appeal to the Minister, and, if the Minister is satisfied that the house has been completed in a proper and workmanlike manner, he shall certify accordingly.

(3) In so far as the provisions of any building byelaws are inconsistent with the conditions prescribed by the Minister under this section, those provisions shall not apply in respect of any houses which comply with those conditions:

Provided that, as regards the administrative county of London, the Minister shall not prescribe any conditions inconsistent with the provisions of any building byelaws in force in the county except after consultation with the London County Council on the general question of the relaxation of such provisions in connexion with the construction of Houses under this Act.

In this Act the expression "building byelaws" has the same meaning as in Part I. of the Housing, Town Planning, &c. Act, 1919.

Aggregate amount of grants.

2.—(1) The aggregate amount of the grants to be made for the purposes of the preceding section of this Act shall not exceed fifteen million pounds.

(2) A grant shall not be made under the preceding section of this Act in respect of any house in respect of which any payment out of moneys provided by Parliament may be made under section seven or section nineteen of the Housing, Town Planning, &c. Act, 1919, and a payment shall not be made under those sections in respect of any house in respect of which a grant has been made under the preceding section of this Act.

Provision as to expenses under s. 16 of 9 & 10 Geo. 5. c. 35.

3.—(1) Any expenses incurred by the Minister under section sixteen of the Housing, Town Planning, &c. Act, 1919, in connexion with the conversion of buildings into separate tenements shall, subject as hereinafter provided, be paid out of moneys provided by Parliament:

Provided that such part of any such expenses as would have been borne by the local authority if they had been expenses incurred in carrying out a scheme to which section seven of the said Act applies shall be payable by that authority and shall be recoverable from that authority as a debt due to the Crown, and the certificate of the Minister as to the part of the expenses to be borne by the local authority shall be conclusive.

(2) The provision of money for the payment of any amounts payable by a local authority under this section shall be a purpose for which the authority may borrow under Part III. of the Housing of the Working Classes Act, 1890. 53 & 54 Vict. c. 70.

(3) The Minister may make Orders containing such provisions with regard to the vesting in the local authority of any buildings converted into separate tenements under the provisions of the said section sixteen and such consequential and supplemental provisions as the Minister may think necessary, and any order so made shall be binding on the local authority.

Amendment of s. 7 and s. 19 of 9 & 10 Geo. 5. c. 35. with respect to amount of annual payments.

4. Section seven of the Housing, Town Planning, &c. Act, 1919 (which provides for the recoupment out of moneys provided by Parliament of losses incurred in connexion with certain schemes), and section nineteen of that Act (which provides for the contributions out of moneys provided by Parliament towards costs incurred by public utility societies and housing trusts) shall respectively have effect as though for the words "equivalent to thirty per centum of the annual loan charges," where they occur in each of those sections, there were substituted the words "equivalent during the period ending on "the thirty-first day of March nineteen hundred and twenty-"seven, to fifty per centum and thereafter to thirty per centum "of the annual loan charges."

Prohibition of building operations which interfere with provision of dwelling-houses.

5.—(1) Where it appears to a local authority that the provision of dwelling accommodation for their area is or is likely to be delayed by a deficiency of labour or materials arising out of the employment of labour or material in the construction within their area of any works or buildings (other than works or buildings authorised or required by, under, or in pursuance of any Act of Parliament), and that the construction of those works or buildings is in the circumstances of the case of less public importance for the time being than the provision of dwelling accommodation, the authority may by order prohibit for such time and on such terms and subject to such conditions as the Minister may from time to time prescribe, and either in whole or in part, the construction of those works or buildings.

(2) Any person aggrieved by an order made by a local authority under this section may, subject to rules of procedure to be made by the Minister, appeal to the Minister, and on any such appeal the Minister shall refer all such cases to a standing tribunal of appeal, consisting of five persons, to be appointed by the Minister, which shall have power either to annul the order or to make such order in the matter as the local authority could have made, and the decision of the tribunal of appeal in the matter shall be final and not subject to appeal to or review by any court.

(3) Where any appeal against an order made under this section is not finally determined within fourteen days after the date on which notice of appeal against the order was given, the operation of the order shall be suspended as from the expiration of the said fourteen days until the appeal has been finally determined.

(4) If any person acts in contravention of or fails to comply with any of the provisions of an order made under this section, he shall be liable on summary conviction to a fine not exceeding one hundred pounds, and, if the offence is a continuing offence, to a fine not exceeding fifty pounds for each day during which the offence continues, and, where the person guilty of an offence under this section is a company, every director and officer of the company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his consent or connivance.

(5) In any action or proceedings for breach of a contract to construct any works or buildings, it shall be a good defence to the action or proceedings to prove that the non-fulfilment of the contract was due to compliance with an order made under this section.

(6) In this section the expression "construction of any works or buildings" includes the making of alterations or additions to existing works or buildings.

(7) Any rules of procedure made by the Minister under this section shall be laid before both Houses of Parliament as soon as may be after they are made.

Prohibition on demolition of dwelling-houses.

6.—(1) If any person at any time after the third day of December, nineteen hundred and nineteen, without the permission in writing of the local authority within whose area the house is situate, demolishes, in whole or in part, or uses otherwise than as a dwelling-house any house which was at that date in the opinion of the local authority reasonably fit or reasonably capable without reconstruction of being rendered fit for human habitation, he shall be liable on summary conviction in respect of each house demolished or so used to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such imprisonment and fine, and, where

the person guilty of an offence under this section is a company, every director and officer of the company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his consent or connivance

(2) Any person to whom permission to demolish a house has been refused by a local authority under this section, may appeal to the Minister on the ground that the house is not capable without reconstruction of being rendered fit for human habitation, and any such appeal shall be dealt with in the same manner as an appeal under subsection (2) of the preceding section of this Act.

(3) Notwithstanding anything in this section, the permission of the local authority shall not be required in the case of any house the demolition of which is required or authorised by, under, or in pursuance of any Act of Parliament, or which is used otherwise than as a dwelling-house for any statutory purposes or which was occupied and used otherwise than as a dwelling-house before the third day of December, nineteen hundred and nineteen.

In this section the expression "dwelling-house" means a building constructed or adapted to be used wholly or principally for human habitation.

Powers of borrowing for purpose of Housing Acts.

7.—(1) A local authority (including a county council) may, with the consent of the Minister, borrow any sums which they have power to borrow for the purposes of the Housing Acts, 1890 to 1919, by the issue of bonds (in this Act referred to as "local bonds") in accordance with the provisions of this Act.

(2) A county council may lend to any local authority within their area any money which that authority have power to borrow for the purposes of the Housing Acts, 1890 to 1919, and may, with the sanction of the Minister and irrespective of any limit of borrowing, raise the money required for the purpose either by the issue of local bonds under this section or by a loan subject to the like conditions and in the like manner as any other loan raised for the purpose of their powers and duties, and subject in either case to any conditions which the Minister may by general or special order impose.

(3) The provisions set out in the Schedule to this Act shall have effect with respect to local bonds.

(4) Where on an application made by two or more local authorities the Minister is satisfied that it is expedient that those authorities should have power to make a joint issue of local bonds, the Minister may by order make such provision as appears to him necessary for the purpose, and any such order shall provide for the securing of the bonds issued upon the joint rates, property and revenues of the authorities.

The provisions of any such order shall have effect as if they were contained in a Provisional Order made under section two hundred and seventy-nine of the Public Health Act, 1875. 38 & 39 Vict. c. 55.

(5) Any local authority by whom any local bonds have been issued may, without the consent of the Minister, borrow for the purpose of redeeming those bonds.

Subsection (2) of s. 1 of 6 & 7 Geo. 5. c. 69. to be perpetual.

8. Subsection (2) of section one of the Public Authorities and Bodies (Loans) Act, 1916 (which gives power temporarily to certain local authorities to borrow money by means of the issue of securities to bearer and whether within or without the United Kingdom), shall be a permanent enactment, and accordingly the words "during the continuation of the present war and a "period of six months thereafter" in that subsection shall be repealed.

Power of trustees to invest in certain securities issued by local authorities. 56 & 57 Vict. c. 53.

9. Section one of the Trustee Act, 1893 (which specifies the securities in which trust funds may be invested), shall have effect as though there were included therein local bonds issued under this Act and mortgages of any fund or rate granted after the passing of this Act under the authority of any Act or Provisional Order by a local authority (including a county council) which is authorised to issue local bonds under this Act.

Acquisition of land for purpose of garden cities or town-planning schemes.

10.—(1) Where the Minister is satisfied that any local authority (including a county council) or two or more local authorities jointly, or any authorised association, are prepared to purchase and develop any land as a garden city (including a garden suburb or a garden village), or any land in regard to which a town-planning scheme may be made for the purpose of such a scheme for the area in which the land is situate, in accordance with a scheme approved by the Minister, and have funds available for the purpose, he may, with the consent of the Treasury and after consultation with the Board of Trade, the Board of Agriculture and Fisheries, and the Minister of Transport, acquire that land on behalf of the authority or association either by compulsion or by agreement in any case in which it appears to him necessary or expedient so to do for the purpose of securing the development of the land as aforesaid, and may do all such things as may be necessary to vest the land so acquired in the local authority or association.

(2) The provisions of the Housing Acts, 1890 to 1919, relating to the powers of a local authority to acquire land for the purposes of Part III. of the Housing of the Working Classes Act, 1890, shall apply for the purpose of the acquisition of land by the Minister under this section, and the Minister in exercising his powers of acquiring land under this section shall be subject to the same conditions as are applicable to the acquisition of land under the Housing Acts, 1890 to 1919, by a local authority:

Provided that, in the case of an order for the compulsory acquisition of land on behalf of an authorised association, the

order shall be laid before each House of Parliament and shall not be confirmed by the Minister unless and until both Houses by resolution have approved the order, nor, if any modifications are agreed to by both Houses, otherwise than as so modified.

(3) A local authority shall have power to acquire land for the purposes of a scheme approved by the Minister under this section, and to develop any land so acquired in accordance with the scheme, and shall have power to borrow, as for the purposes of the Housing Acts, 1890 to 1919, any money required for the purpose of so acquiring or developing any land.

(4) In this section "authorised association" means any society, company or body of persons approved by the Minister whose objects include the promotion, formation, or management of garden cities (including garden suburbs and garden villages), and the erection, improvement or management of buildings for the working classes and others, which does not trade for profit or whose constitution forbids payment of any interest or dividend at a higher rate than six per centum per annum.

Meaning of local authority, 53 & 54 Vict. c. 70.

11. In this Act the expression "local authority" means the local authority within the meaning of Part III. of the Housing of the Working Classes Act, 1890:

Provided that for the purpose of the application of the provisions of this Act (other than those relating to expenses under section sixteen of the Housing, Town Planning, &c. Act, 1919) to the county of London the London County Council shall be the local authority to the exclusion of any other authority, and that in the city of London the London County Council shall be the local authority for the purpose of the certificate as to the completion of houses to be given under the provisions of this Act relating to the payment of money to persons constructing houses.

Execution of Act in county of London.

57 & 58 Vict. c. ccxiii.

12. For the purpose of securing the proper execution of this Act in the administrative county of London, the London County Council shall have the power to require a district surveyor under the London Building Act, 1894, to perform within his district such duties as the Council think necessary for that purpose, and the Council may pay to a district surveyor such remuneration as they may determine in respect of any duties performed by him in pursuance of this section.

Application to Scotland.

13.—(1) This Act shall apply to Scotland subject to the following modifications:—

(*a*) References to the Minister of Health shall be construed as references to the Scottish Board of Health;

(*b*) A reference to the Board of Agriculture and Fisheries shall be construed as a reference to the Board of Agriculture for Scotland;

(*c*) References to section one, section seven and section nineteen of the Housing, Town Planning, &c. Act, 1919, shall be construed as references to section one, section five and section sixteen, respectively, of the Housing, Town Planning, &c. (Scotland) Act, 1919;

9 & 10 Geo. 5. c. 60.

(*d*) References to the Housing Acts, 1890 to 1919, shall be construed as references to the Housing (Scotland) Acts, 1890 to 1919;

(*e*) A reference to building byelaws shall be construed as a reference to building regulations as defined by section thirty-one of the Housing, Town Planning, &c. (Scotland) Act, 1919;

(*f*) A reference to a Provisional Order made under section two hundred and seventy-nine of the Public Health Act, 1875, shall be construed as a reference to an Order made under subsection (3) of section sixty-four of the National Insurance Act, 1911.

1 & 2 Geo. 5. c. 55.

(2) Section sixteen of the Housing, Town Planning, &c. Act, 1919, shall apply to Scotland as if it had been enacted in Part I. of the Housing, Town Planning, &c. (Scotland) Act, 1919, with the substitution of the Scottish Board of Health for the Local Government Board, and references in this Act to the said section sixteen shall be construed as references to that section as so applied.

27 & 28 Vict. c. 114.

(3) Section eighteen of the Improvement of Land Act, 1864, shall not have effect in the case of landowners in Scotland making applications for loans under that Act for the construction or reconstruction of houses for the working classes.

(4) The section of this Act relating to power of trustees to invest in certain securities issued by local authorities shall not apply, and in lieu thereof—

Local bonds issued under this Act shall be bonds within the meaning of paragraph (*b*) of section three of the Trusts (Scotland) Act, 1898.

61 & 62 Vict. c. 42.

Application to Ireland.

14. This Act, in its application to Ireland, shall have effect with the following modifications, namely:—

(1) References to the Minister of Health or to the Minister shall be construed as references to the Local Government Board for Ireland:

(2) References to the Housing Acts, 1890 to 1919, shall be construed as references to the Housing of the Working Classes (Ireland) Acts, 1890 to 1919, references to the Housing, Town Planning, &c. Act, 1919, shall be construed as references to the Housing (Ireland) Act, 1919, and references to section seven and to section nineteen of the first-mentioned Act shall respectively be construed as references to

9 & 10 Geo. 5. c. 45.

section five and to section fifteen of the last-mentioned Act:

(3) References to the Public Health Act, 1875, shall be construed as references to the Public Health (Ireland) Act, 1878, and references to section two hundred and seventy-nine of the first-mentioned Act shall be construed as references to section twelve of the last-mentioned Act: 41 & 42 Vict. c. 52.

(4) The reference to the Board of Agriculture and Fisheries shall not apply:

(5) Section sixteen of the Housing, Town Planning, &c. Act, 1919, shall apply to Ireland as if it had been enacted in Part I. of the Housing (Ireland) Act, 1919, with the substitution of "the Local Government Board for Ireland" for "the Local Government Board," and references in this Act to the said section sixteen shall be construed as references to that section as so applied.

15.—(1) This Act may be cited as the Housing (Additional Powers) Act, 1919. Short title and duration.

(2) The provisions of this Act, other than the provisions thereof relating to powers of borrowing for the purpose of the Housing Acts, 1890 to 1919, the Public Authorities and Bodies (Loans) Act, 1916, trustee securities, and the acquisition of land for the purpose of garden cities and town-planning schemes, shall continue in force for two years only from the commencement thereof, and no longer:

Provided that section thirty-eight of the Interpretation Act, 1889 (which relates to the effect of repeals), shall, in relation to the provisions of this Act which cease to be in force on the expiration of the period aforesaid, apply as if these provisions had been repealed by another Act passed on the date of the expiration of the said period. 52 & 53 Vict. c. 63.

SCHEDULE. Section 7.

PROVISIONS AS TO LOCAL BONDS.

1. Local bonds shall—

(*a*) be secured upon all the rates, property and revenues of the local authority:

(*b*) bear interest at such rate of interest as the Treasury may from time to time fix:

(*c*) be issued in denominations of five, ten, twenty, fifty, and one hundred pounds and multiples of hundred pounds:

(*d*) be issued for periods of not less than five years.

54 & 55 Vict. c. 39. 62 & 63 Vict. c. 9. 7 Edw. 7. c. 13.

2. Local bonds shall be exempt from stamp duty under the Stamp Act, 1891, and no duty shall be chargeable under section eight of the Finance Act, 1899, as amended by section ten of the Finance Act, 1907, in respect of the issue of any such bonds.

3. The provisions of section one hundred and fifteen of the Stamp Act, 1891 (which relates to composition for stamp duty), shall, with the necessary adaptations, apply in the case of any local authority by whom local bonds are issued as if those bonds were stock or funded debt of the authority within the meaning of that section.

4. A local authority shall, in the case of any person who is the registered holder of local bonds issued by that authority of a nominal amount not exceeding in the aggregate one hundred pounds, pay the interest on the bonds held by that person without deduction of income tax, but any such interest shall be accounted for and charged to income tax under the third case of Schedule D. in the First Schedule to the Income Tax Act, 1918, subject, however, to any provision of that Act with respect to exemption or abatement.

8 & 9 Geo. 5. c. 40.

5. Local bonds issued by a local authority shall be accepted by that authority at their nominal value in payment of the purchase price of any house erected by or on behalf of any local authority in pursuance of any scheme under the Housing Acts, 1890 to 1919.

6. The Minister may, with the approval of the Treasury, make regulations with respect to the issue (including terms of issue), transfer and redemption of local bonds and the security therefor, and any such regulations may apply, with or without modifications, any provisions of the Local Loans Act, 1875, and the Acts amending that Act, and of any Act relating to securities issued by the London County Council or by any other local or public body.

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CHAPTER 100.

An Act to amend the Law with respect to the supply of electricity. [23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

ELECTRICITY COMMISSIONERS.

Appointment of Electricity Commissioners.

1.—(1) For promoting, regulating, and supervising the supply of electricity there shall be established as soon as may be after the passing of this Act, a body to be called the Electricity Commissioners, who shall have such powers and duties as are conferred on them by or under this Act, and, subject thereto, shall act under the general directions of the Board of Trade.

(2) The Commissioners, not exceeding five in number, of whom one shall be chairman, shall be appointed by the Board of Trade: in the case of two of the Commissioners the term of

office shall be such as may be fixed by the Board of Trade at the time when the appointment is made; the other Commissioners shall hold office during His Majesty's pleasure.

(3) Three of the Commissioners shall be whole-time officers.

(4) Three of the Commissioners shall be selected for practical, commercial, and scientific knowledge and wide business experience, including that of electrical supply.

(5) A person shall be disqualified for being appointed or being a Commissioner if he has, directly or indirectly, any share or interest in any undertaking for the supply of electricity, otherwise than as a ratepayer in the case of an undertaking of a local authority.

(6) The Commissioners may act by two of their number and notwithstanding a vacancy in their number.

(7) The Electricity Commissioners may appoint a secretary and such inspectors, officers and servants as the Commissioners may determine, and there shall be paid out of the fund hereinafter established to the Commissioners, and to the secretary, inspectors, officers, and servants of the Commissioners, such salaries and remuneration, and on retirement such pensions or gratuities as the Board of Trade may determine, and any expenses incurred by the Commissioners in the exercise and performance of their powers and duties under this Act, shall be defrayed out of the said fund.

(8) Every document or instrument purporting to be an order or instrument issued by the Commissioners, and to be signed by the secretary to the Commissioners, or any person authorised to act on behalf of the secretary, shall be received in evidence, and be deemed to be such order or instrument without further proof unless the contrary is shown.

Exercise of powers through Electricity Commissioners.

2. The Board of Trade may exercise through the Electricity Commissioners any of their powers and duties under the Electric Lighting Acts or the orders or regulations made thereunder or under any local Acts relating to the supply of electricity or under any enactment relating to matters incidental to such supply.

Power to conduct experiments.

3. The Electricity Commissioners may, either by themselves or through any joint electricity authority established under this Act, or any authorised undertakers, or other competent body, conduct experiments or trials for the improvement of the methods of electric supply or of the utilisation of fuel or water-power, and, subject to the approval of the Board of Trade, incur such expenditure as may be necessary for the purpose.

Advisory Committee.

4. The Electricity Commissioners may appoint a committee or committees consisting of chairman or other members of joint electricity authorities established under this Act, or representatives of authorised undertakers or other specially qualified persons for the purpose of giving to the Commissioners advice and assistance on such matters connected with the

general improvement and development of the supply of electricity as may be referred to the committee by the Commissioners, and the Commissioners shall take into consideration any representations which have been made to them by any such committee.

REORGANISATION OF SUPPLY OF ELECTRICITY.

Electricity districts.

5.—(1) The Electricity Commissioners may provisionally determine that any district in the United Kingdom shall be constituted a separate electricity district for the purposes of this Act, and, in considering what areas are to be included in a district, areas shall be grouped in such manner as may seem to the Commissioners most conducive to the efficiency and economy of the supply of electricity and to convenience of administration. Before finally determining the area of any such district, the Electricity Commissioners shall publish notice of their intention so to do and of the area proposed to be included in such district, and shall also give notice thereof to all county councils, local authorities, and authorised undertakers any part of whose county district or area of supply is proposed to be included in the electricity district, and, if any objection or representation be made on account of the inclusion in or the exclusion from the proposed district of any area, the Electricity Commissioners shall hold a local inquiry with reference to the area to be included in the proposed district:

Provided that, where a local inquiry is held as hereinafter provided regarding the improvement of the organisation of the supply of electricity in any district, the area of that district shall not be finally determined until after that inquiry has been held.

(2) Where it appears to the Electricity Commissioners with respect to any electricity district so provisionally determined that the existing organisation for the supply of electricity therein should be improved, the Commissioners shall give notice of their intention to hold a local inquiry into the matter, and shall give to authorised undertakers, county councils, local authorities, railway companies using or proposing to use electricity for traction purposes, large consumers of electricity, and other associations or bodies within the district which appear to the Commissioners to be interested, an opportunity to submit, within such time as the Commissioners may allow, a scheme or schemes for effecting such improvement, including proposals for altering or adjusting the boundaries of the district and, where necessary, the formation of a joint electricity authority for the district.

(3) If no such scheme is submitted within the time so allowed, or if no scheme submitted is approved by the Commissioners, the Commissioners may themselves formulate such a scheme.

(4) The Electricity Commissioners shall publish, in such manner as they think best adapted for ensuring publicity, any scheme which they have approved, with or without modifications, or which they have themselves formulated, and shall hold a local inquiry thereon.

Joint electricity authorities.

6.—(1) A scheme under the last-foregoing section may provide for the establishment and (where desirable) the incorporation with power to hold land without licence in mortmain, of a joint electricity authority representative of authorised undertakers within the electricity district, either with or without the addition of representatives of the council of any county situate wholly or partly within the electricity district, local authorities, large consumers of electricity, and other interests within the electricity district, and, subject as hereinafter in this Act provided, for the exercise by that authority of all or any of the powers of the authorised undertakers within the electricity district, and for the transfer to the authority of the whole or any part of the undertakings of any of those undertakers, upon such terms as may be provided by the scheme, and the scheme may contain any consequential, incidental, and supplemental provisions which appear to be expedient or proper for the purpose of the scheme, including provisions determining the area included in the electricity district:

Provided that no such scheme shall provide for the transfer to the authority of any part of an undertaking except with the consent of the owners thereof.

(2) The scheme may provide for enabling the joint electricity authority to delegate, with or without restrictions, to committees of the authority any of the powers or duties of the authority, and for the payment out of the revenues of the authority of travelling and subsistence expenses of members of the authority, and reasonable compensation for loss of remunerative time.

Confirmation of schemes.

7.—(1) The Electricity Commissioners may make an order giving effect to the schemes embodying decisions they arrive at as the result of such inquiry as aforesaid, and present the order for confirmation by the Board of Trade, who may confirm the order either without modification or subject to such modifications as they think fit.

(2) Any such order shall be laid, as soon as may be after it is confirmed before each House of Parliament, but shall not come into operation unless and until it has been approved either with or without modification by a resolution passed by each such House, and when so approved shall have effect as if enacted in this Act.

(3) An order made under this section may be altered by a subsequent order made, confirmed, and approved in like manner as the original order.

General powers and duties of joint electricity authorities.

8.—(1) It shall be the duty of every joint electricity authority constituted under this Act to provide or secure the provision

of a cheap and abundant supply of electricity within their district, and for that purpose every such authority shall have such powers and duties as are conferred or imposed upon them by the scheme under which they are constituted or by this Act with respect to—

(*a*) the supply of electricity within their district (including the construction of generating stations, main transmission lines, and other works required for the purpose);

(*b*) the acquisition of the undertakings or parts of the undertakings of authorised undertakers;

and such powers incidental thereto, as are in the scheme or in this Act mentioned, and every such authority shall comply with any general directions given to them by the Electricity Commissioners as to the exercise and performance of their powers and duties.

(2) A joint electricity authority may, with the approval of the Electricity Commissioners, establish or join with any other such authority in establishing a scheme for the payment of superannuation allowances and gratuities to any of their officers and servants who become incapable of discharging their duties by reason of permanent infirmity of body and mind or old age upon their resigning or otherwise ceasing to hold office, and the expenses incurred under any such scheme shall be treated as part of the expenses of the authority in carrying out their powers and duties under this Act.

GENERATING STATIONS.

Power to acquire generating stations, &c.

9. A joint electricity authority may, with the consent of the Electricity Commissioners, by agreement with the owners thereof acquire any generating station or any main transmission line from any such station on such terms as may be agreed.

Right to use for generating stations land acquired for that purpose.

10. Where a joint electricity authority or any authorised undertakers are authorised by order made after the passing of this Act to acquire or use any land for the purpose of a generating station, no person shall be entitled to restrain the use of the land for that purpose.

Restrictions on the establishment of new generating stations.

11. Notwithstanding anything in any special Act or order in force at the passing of this Act, it shall not be lawful for any authority, company, or person to establish a new or extend an existing generating station or main transmission line without the consent of the Electricity Commissioners (which consent shall not be refused or made subject to compliance with conditions to which the authority, company, or person object, unless a local inquiry has been held) but this restriction shall not apply to the establishment or extension of a private generating station; provided that, in the case of the establishment of a new private generating station, the owner thereof

shall comply with any regulations made by the Electricity Commissioners as to the type of current, frequency, and pressure to be used; but such regulations shall be so framed as not to interfere with the economical and efficient working of the business for which the supply is generated:

Provided that, in the case of a railway company using or proposing to use electricity for traction, and in the case of the owners of a dock undertaking regulated by Act of Parliament using or proposing to use electricity for the purposes of their undertaking, consent shall not be refused unless it is proved to the satisfaction of the Electricity Commissioners that a joint electricity authority or authorised undertakers are or will be willing and in a position to give the railway company or owners a supply of electricity, adequate in quantity and regularity to meet the present and prospective demand of the railway company or owners, at a cost not greater than would have been incurred by the railway company or owners in supplying themselves:

Provided also that—

(*a*) where a group of persons carrying on or intending to carry on businesses in which large quantities of electricity are used for purposes other than for provision of mechanical power or light propose to establish a generating station for the purposes of such businesses; or

(*b*) where a manufacturer, having a business in which electricity can be generated from energy derived from a process of manufacture carried on in his premises, proposes to establish a generating station for the purpose of supplying electricity not only for his own business but also to other manufacturers whose businesses are associated therewith;

the Electricity Commissioners may authorise the establishment by or on behalf of those consumers or that manufacturer, of a generating station, subject to the condition that any surplus electricity generated beyond that required by those consumers or, as the case may be, by the business of that manufacturer or the associated businesses shall (if required by the Electricity Commissioners) be supplied to the joint electricity authority, or any authorised undertakers, at such prices as the Electricity Commissioners may think fit and proper, and may by order authorise the exercise of such other powers (including the breaking up of roads, railways, and tramways) as may be necessary for the purpose of such supply, and the generating station shall be treated for the purposes of this Act as though it were a private generating station.

POWERS OF JOINT ELECTRICITY AUTHORITIES.

Powers of joint electricity authorities in respect

12.—(1) A joint electricity authority shall have power to supply electricity within their district subject to the following

of the supply of electricity.

limitations, that is to say, the authority shall not supply electricity—

(*a*) in any area which for the time being forms part of the area of supply of any authorised distributors without the consent of those distributors, except to railway, canal, or inland navigation companies or authorities for the purposes of traction or haulage, or for lighting vehicles and vessels for the haulage or traction of which electricity is supplied, or for the purpose of charging or re-charging electric vehicles not running on rails; or

(*b*) in any part of the area of supply of a power company for any purpose for which the company are therein authorised to supply electricity, without the consent of the company, except to the previous owner of a generating station which has been transferred to the joint electricity authority or for the purpose of charging or re-charging electric vehicles not running on rails:

Provided that, where the authorised distributors or power company refuse or withhold their consent, the joint electricity authority may appeal to the Electricity Commissioners as to whether the consent is unreasonably refused or withheld, and the Board of Trade on the recommendation of the Electricity Commissioners may dispense with such consent if in their opinion it is unreasonably refused or withheld, and the consent shall be deemed to be unreasonably refused or withheld if the authorised distributors or power company are not willing and in a position to give the requisite supply upon reasonable terms and within a reasonable time, and in considering what are reasonable terms and what is a reasonable time the Board of Trade shall amongst other things have regard to the terms upon which and the time within which the joint electricity authority and the authorised distributors or power company are respectively willing and able to give the supply, and, where the authorised distributors or power company are themselves supplied by the joint electricity authority, the terms upon which they are so supplied, including the period of time for which such terms are to be binding.

(2) This Act shall, in relation to every joint electricity authority, be deemed to be a special Act for the purposes of the Electric Lighting Acts, and every joint electricity authority shall be deemed to be undertakers within the meaning of those Acts, and for the purposes of this section there shall be incorporated with this Act the provisions of the schedule to the Electric Lighting (Clauses) Act, 1899, subject to such exceptions and modifications as may be prescribed by the order constituting the joint electricity authority:

62 & 63 Vict. c. 19.

51 & 52 Vict. c. 12.

Provided that sections two and three of the Electric Lighting Act, 1888 (which relate to the purchase of undertakings by

local authorities), shall not apply to the undertakings of joint electricity authorities.

(3) Subject to the limitations hereinbefore contained on the powers of a joint electricity authority to supply electricity, the Electricity Commissioners may by order, after such inquiry as they think fit, impose on any joint electricity authority an obligation to supply electricity in such circumstances, within such areas, and on such terms and conditions as to price and otherwise as may be specified in the order.

Transfer of undertakings to joint electricity authorities.

13.—(1) Any local authority being authorised distributors may, with the consent of the Electricity Commissioners, agree with the joint electricity authority of the district in which the area of supply of the local authority or any part thereof is situated for the transfer to the joint electricity authority of the whole or any part of the undertaking of the local authority within that district:

Provided that, where part of the area of supply of the local authority is situated in a locality which is not included in an electricity district, the powers of purchasing that part may, if the Electricity Commissioners consent, be exercised by a joint electricity authority within whose district any part of the area of supply is situated.

(2) Where under the Electric Lighting Acts, or under any order made thereunder or under any special or local Act, any right to purchase the whole or any part of the undertaking of any authorised distributors is vested in any local authority (including a county council), the right may, by any order under this Act constituting a joint electricity authority for the district comprising the area of the local authority, be transferred to and vested in the joint electricity authority, subject to the order providing for adequate representation on the joint electricity authority of the local authority from whom the right is transferred, and, on any such right being so transferred, the Order or Act conferring the right shall be construed accordingly, and any question as to the adequacy of such representation shall be determined by the Electricity Commissioners:

Provided that, if the area of the local authority is situate partly in the district of one joint electricity authority and partly in that of another, the right shall be transferable to such one of those joint electricity authorities or divisible between them as the Electricity Commissioners may determine, and where part of such area is situate in a locality which is not included in an electricity district the right of purchasing that part may, if the Electricity Commissioners consent, be transferable to a joint electricity authority within whose district any part of such area is situate.

(3) Where any such right as aforesaid becomes exerciseable before the date of the constitution of a joint electricity authority, the right shall not be exercised by the local authority without the consent of the Electricity Commissioners, and such

consent may be given subject to such conditions as the Commissioners may think fit, and it shall be lawful for the local authority to comply with any conditions so imposed.

(4) A joint electricity authority with the consent of the Electricity Commissioners may at any time acquire the whole or any part of the undertaking of any authorised undertakers not being a local authority, by agreement, and it shall be lawful for any such undertakers to sell their undertaking or any part thereof to a joint electricity authority.

Special provisions as to power companies.

14.—(1) The Electricity Commissioners may, on the application of a joint electricity authority, by order exclude from the area of supply of any power company any part of that area which at the time of the application is not being supplied by the company, and which it appears to the Electricity Commissioners could be better served by the joint electricity authority, and in consideration therefor may, if they think fit, confer on the power company power to supply electricity for all purposes in other parts of their area of supply which do not at the time form part of the area of supply of any authorised distributors:

Provided that, if the power company, or any county council, local authority, or authorised undertakers which appear to the Electricity Commissioners to be interested, object to the proposed order, effect shall not be given to the proposals except by special order.

Subsidiary powers of joint electricity authorities.

15.—(1) The Board of Trade, on the representation of the Electricity Commissioners, may by order authorise any joint electricity authority or any authorised undertakers to abstract water from any river, stream, canal, inland navigation or other source, and to do all such acts as may be necessary for the purpose of enabling the joint electricity authority or authorised undertakers to utilise and return the water so abstracted, subject to such conditions as may be specified in the order, but the Board shall not in any case make such an order until notice of their intention to make the order has been given by advertisement or otherwise as the Board may direct and an opportunity has been given to any person who appears to the Board to be affected of stating any objections he may have thereto, and such order may provide for the recovery in a summary manner of penalties for infringement of the order:

Provided that—

(*a*) where the source from which the water is to be abstracted is a canal, inland navigation, or harbour regulated by Act of Parliament, or where any existing rights of riparian owners will be affected by the abstraction of the water, the order authorising the abstraction shall be a special order, and shall provide that the water not consumed shall, subject to any agreement to the contrary, be returned at a level not lower than that at which it was abstracted; and

(*b*) the order shall require that all water not consumed (and in no case less than ninety-five per centum of the water abstracted) shall be returned in a condition not less pure than when it was abstracted and at a temperature not higher than such as may be specified in the order (which temperature shall be fixed at such a degree as appears to the Board necessary to avoid injury to public health or to fisheries, if any, or in the case of a canal or inland navigation to the works thereof, or to vessels using the same, or to the trade or business carried on by any person using the same for the purposes of or in connection with his trade or business); and

(*c*) no order shall be made authorising the abstraction of water from any dock regulated by Act of Parliament except with the consent of the owners thereof and subject to such terms and conditions as may be agreed; and

(*d*) in any order authorising the abstraction of water from the Manchester Ship Canal there shall be inserted such provisions as the Board of Trade may consider adequate for preventing interference with the navigation of the canal.

(2) A joint electricity authority and any local authority, company, or person may, with the consent of the Electricity Commissioners, enter into arrangements for the utilisation, for the purposes of the joint electricity authority, of water power, waste heat, or other form of energy which the local authority, company, or person may be able to dispose of, or for the supply by the joint electricity authority of any form of energy other than electricity, and, where such an arrangement has been made, the joint electricity authority may be authorised by order to exercise such powers (including the power to break up roads, railways, and tramways) as may be necessary for the purpose of conveying such energy:

Provided always that such joint electricity authority, local authority, company, or person shall in no case have the power to enter into arrangements for the supply by the joint electric authority of any form of energy, other than electricity, in any area or district within which any undertakers may be authorised by Parliament to supply such form of energy unless and until such undertakers consent thereto, and then only upon such terms and conditions as may be agreed upon with such undertakers.

(3) The purposes for which a joint electricity authority may be authorised to acquire compulsorily or use land under section one of the Electric Lighting Act, 1909, shall include the development of water-power for the generation of electricity. 9 Edw. 7. c. 34.

(4) A joint electricity authority may, with the consent of the Electricity Commissioners, erect, maintain, alter, improve,

and renew by-product plant with all necessary machinery and apparatus, and do all such acts as may be proper for working up and converting the residual products arising directly or indirectly from the generation of electricity:

Provided that, where it appears to the Electricity Commissioners that the establishment of any such by-product plant could properly be undertaken by any existing company, authority, or person, a joint electricity authority shall not establish such plant without first giving to such company, authority, or person an opportunity of so doing.

Compensation for deprivation of employment.

16. If after the eighth of May nineteen hundred and nineteen, and within five years from the date when under this Act a transfer of the whole or any part of an undertaking has been effected, or a scheme for the improvement of the supply of electricity in any district has come into operation, or an agreement or arrangement between various authorised undertakers for the rendering of mutual assistance to one another has been entered into, any officer or servant who has, before the said eighth day of May, been regularly employed in or about the undertaking or any authorised undertaking proves to the satisfaction of a referee or a board of referees appointed by the Minister of Labour that in consequence of this Act he—

(i) has suffered loss of employment, or diminution of salary, wages or emoluments, otherwise than on grounds of misconduct, incapacity, or superannuation; or

(ii) has relinquished his employment in consequence of being required to perform duties such as were not analogous or were an unreasonable addition to those which before the said eighth day of May he had been required to perform; or

(iii) has been placed in any worse position in respect to the conditions of his service (including tenure of office, remuneration, gratuities, pension, superannuation, sick or other fund, or any benefits or allowances, whether obtaining legally or by customary practice),

and the body to which the undertaking or part thereof was transferred, or, as the case may be, the authorised undertakers who are affected by the scheme or are parties to the agreement or arrangement, do not show to the satisfaction of the referee or board of referees that equivalent employment on the like conditions as those obtaining with respect to him, at the date when the scheme comes into operation, or the agreement or arrangement is entered into, was available, there shall be paid to him by that body or those undertakers, or such of them as the referee or board of referees may think just, such compensation as the referee or board of referees may award, including any expenses which the officer or servant necessarily incurs in removing to another locality:

Provided that such compensation shall, in the case of an officer employed on an annual salary, be based on but not

exceed the amount which would have been payable to a person on abolition of office under the Acts and rules relating to His Majesty's Civil Service in force at the date of the passing of the Local Government Act, 1888, but, in computing the period of service of any officer, service under any authorised undertakers shall be reckoned as service under the authorised undertaker in whose employment he is at the time that he suffers such loss or diminution as is mentioned in this section; and, where any such officer or servant was temporarily absent from his employment whilst serving in or with His Majesty's Forces or the forces of the Allied or Associated Powers, or in any other employment of national importance during the present war, such service shall be reckoned as service under the authorised undertakers in whose employment he was immediately before and after such temporary absence. 51 & 52 Vict. c. 41.

17. A joint electricity authority before incurring any capital expenditure above such amount as the Electricity Commissioners may prescribe shall submit for approval to the Electricity Commissioners such details, plans, and estimates with respect to the proposed expenditure as the Electricity Commissioners may require. Submission of plans, &c., with respect to capital expenditure.

TRANSITORY PROVISIONS.

18.—(1) It shall be lawful for the Board of Trade, after consultation with the Electricity Commissioners, at any time after an electricity district has been provisionally determined and before the establishment of a joint electricity authority for the district, and for two years after the establishment of any such authority, with the consent of such authority, to construct any generating station, main transmission line, or other works, and exercise any other powers which a joint electricity authority can or can be authorised to exercise under this Act: Power of Board of Trade to construct interim works.

Provided that, where the Board of Trade propose to construct a generating station before the establishment of a joint electricity authority for any district, the Electricity Commissioners shall consult with the county councils, local authorities, and authorised undertakers any part of whose county, district, or area of supply is within the electricity district as provisionally determined as to the site of the proposed station.

(2) The Treasury may issue to the Board of Trade out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, any sums not exceeding in the aggregate twenty million pounds, required for the construction of any such works or the acquisition of land for that purpose, or required for providing working capital for such works, on such terms and conditions as to interest, repayment, and otherwise as the Treasury may think fit.

The Treasury may, if they think fit, at any time for the purpose of providing for the issue of sums out of the Consolidated Fund under this section or for the repayment to that

fund of all or any part of the sums so issued, or for the paying off of any security so issued under this subsection so far as that payment is not otherwise provided for, borrow money by means of the issue of Exchequer Bonds, and all sums so borrowed shall be paid into the Exchequer.

Any sums received on account of the payment of principal or interest on the advances made to the Board of Trade shall be paid into the Exchequer, but any part of sums so paid which represents the repayment of principal shall be transferred to the National Debt Commissioners and applied by them as and when they think fit in purchasing or paying off as occasion requires any securities issued under this subsection, and sums so applied shall be invested and accumulated by the said Commissioners.

The principal of and interest on any Exchequer Bonds issued under this subsection shall be charged on and payable out of the Consolidated Fund of the United Kingdom or the growing produce thereof.

(3) At the expiration of two years after the establishment of a joint electricity authority for any district, or at any earlier time which may be agreed on between the Board of Trade and the joint electricity authority, any generating station, main transmission lines and other works, and any land acquired for the purpose thereof by the Board of Trade under this section which are situate within the electricity district, shall vest in that authority, subject to the payment by the joint electricity authority to the Board of Trade of such sum as may be certified by the Treasury to be sufficient to repay the advances made by them to the Board of Trade (including the cost of redeeming any of the securities issued under the preceding subsection) in respect of the construction of and provision of working capital for such works, and the acquisition of such lands, and any interest thereon which may be outstanding, after deducting the amount applied or applicable towards the repayment of the sums issued to the Board of Trade for defraying that cost.

(4) The prices, fixed by the Board of Trade for electricity supplied by them from generating stations established under this section, shall be such that their receipts therefrom will be sufficient to cover their expenditure on income account (including interest and sinking fund charges in respect of such advances as aforesaid) with such margin as the Board may think fit.

Power of authorised undertakers to render mutual assistance to one another.

19.—(1) During the period between the passing of this Act and the establishment of a joint electricity authority for a district, any two or more of the authorised undertakers within the locality may, with the approval of the Electricity Commissioners, and if so required by the Electricity Commissioners shall, enter into and carry into effect arrangements

for mutual assistance of the one by the other, with regard to all or any of the following purposes :—

(*a*) The giving and taking of a supply of electricity and the distribution and supply of the electricity so taken :

(*b*) The management and working of the generating stations or any part of the several undertakings of the undertakers who are parties to any such arrangement :

(*c*) The provision of capital required for carrying into effect, and the appropriation and division of receipts arising under, any such arrangement :

(*d*) Any matters or things incidental or connected with any of the purposes aforesaid :

and the arrangement shall be made on such terms and conditions as may be agreed, or, if the arrangement is made in pursuance of a requirement by the Electricity Commissioners, on such terms and conditions as in default of agreement may be settled by those Commissioners :

Provided that the authorised undertakers entering into any such arrangement shall remain and be subject to all and the same obligations and liabilities to all persons not being parties to the arrangement as they would have been subject to if no such arrangement had been entered into.

(2) Where such an arrangement has been made, any authorised undertakers who are parties to the arrangement may be authorised by order to exercise such powers (including the power to break up roads, railways, and tramways) as may be necessary for the purpose of carrying the arrangement into effect.

(3) The provision of capital required for giving effect to any such arrangement, and the payment of interest on any such capital raised for the purpose of effecting intercommunication or development of supply in bulk, whilst the expenditure remains unremunerative, shall be purposes for which a local authority may borrow under the Electric Lighting Acts.

Amendments of Electric Lighting Acts.

Transfer of powers of certain departments.

20. There shall be transferred to the Electricity Commissioners the powers of the Minister of Health and the Secretary for Scotland and the London County Council with respect to the sanctioning of borrowing by local authorities under the Electric Lighting Acts, or under any special Act or order relating to the supply of electricity, but in exercising the powers so transferred the Electricity Commissioners shall act in consultation with the Department or Council from which the powers were transferred.

Overhead wires.

21. Where the consent of the Board of Trade is obtained to the placing of any electric line above ground in any case, the

consent of the local authority shall not be required, anything in the Electric Lighting Acts, or in any order or special Act relating to the undertaking to the contrary notwithstanding, but the Board of Trade before giving their consent shall give the local authority an opportunity of being heard.

Wayleaves.

22.—(1) A joint electricity authority or any authorised undertakers may place any electric line below ground across any land, and above ground across any land other than land covered by buildings or used as a garden or pleasure ground in cases where the placing of such lines above ground is otherwise lawful, and where any line has been so placed across any land the joint electricity authority or undertakers may enter on the land for the purpose of repairing or altering the line :

Provided that, before placing any such line across any land, the joint electricity authority or undertakers shall serve on the owner and occupier of the land notice of their intention, together with a description of the nature and position of the lines proposed to be so placed ; and if, within twenty-one days after the service of the notice, the owner and occupier fail to give their consent or attach to their consent any terms or conditions or stipulations to which the joint electricity authority or the undertakers object, it shall not be lawful to place the line across that land without the consent of the Board of Trade ; and the Board of Trade may, if after giving all parties concerned an opportunity of being heard they think it just, give their consent either unconditionally or subject to such terms, conditions, and stipulations as they think just ; and in deciding whether to give or withhold their consent, or to impose any terms, conditions, or stipulations (including the carrying of any portion of the line underground) the Board shall, among other considerations, have regard to the effect, if any, on the amenities or value of the land of the placing of the line in the manner proposed.

(2) The power of placing lines across land conferred by this section shall include the power of placing a line across or along any railway, canal, inland navigation, dock or harbour, subject to the rights of the owners thereof and to the following conditions :—

(*a*) In respect of any electric lines placed or proposed to be placed across any line of railway from side to side thereof sections fifteen, sixteen, nineteen, twenty, and seventy-seven of the schedule to the Electric Lighting (Clauses) Act, 1899, shall, without prejudice to any protection given to the railway company by the Electric Lighting Acts and this Act, apply as though the said electric lines were placed or proposed to be placed in accordance with powers contained in a special order as defined in the Electric Lighting (Clauses) Act, 1899 :

(*b*) In respect of any electric lines placed or proposed to be placed across any canal or inland navigation from

side to side thereof, whether by being carried above or below ground, sections fifteen, nineteen, and seventy-seven of the schedule to the Electric Lighting (Clauses) Act, 1899, shall, without prejudice to any protection given to the owners of the canal by the Electric Lighting Acts and this Act, apply as though the said electric lines were placed in accordance with powers contained in a special order, as defined in the Electric Lighting (Clauses) Act, 1899 :

(c) In respect of any electric lines placed or proposed to be placed over or upon or under any line of railway along its course, the provisions contained in the proviso to subsection (1) of this section shall not apply, and in lieu thereof the following conditions shall apply :—

(i) Failing agreement between the joint electricity authority or authorised undertakers proposing to place such electric lines and the railway company, the joint electricity authority or authorised undertakers may apply to the Board of Trade, who may decide either that the lines shall not be so placed or may refer the question to the Railway and Canal Commission, and that Commission may, after an inquiry, make an order for the placing of the electric lines, subject to such pecuniary terms as the Commission think just, or refusing to allow such lines to be placed, and any such inquiry may be held by any one or more of the members of the Commission or by an officer appointed by the Commission for the purpose, and Parts I. and IV. of the Railway and Canal Traffic Act, 1888 (except the sections relating to appeals), shall apply as far as applicable to any such inquiry, and any officer appointed to hold the inquiry shall have power to administer an oath ; 51 & 52 Vict. c. 25.

(ii) The joint electricity authority or authorised undertakers shall, upon receiving notice in writing from the railway company, remove or alter within a reasonable time, and to the reasonable satisfaction of the railway company, any such electric lines which shall interfere with the existing or any proposed works of the railway company or the traffic thereon : Provided that, if within twenty-one days after receipt of such notice the joint electricity authority or authorised undertakers object to the removal or alteration required by such notice, a difference shall be deemed to have arisen, which shall be referred to and determined by the Railway and Canal Commission ;

(iii) Save as herein provided, sections fifteen, sixteen, nineteen, twenty, and seventy-seven of

the schedule to the Electric Lighting (Clauses) Act, 1899, shall, without prejudice to any protection given to the railway company by the Electric Lighting Acts and by this Act, apply as though the said electric lines were placed in accordance with powers contained in a special order as defined in the Electric Lighting (Clauses) Act, 1899:

(*d*) In respect of any electric lines placed or proposed to be placed over or upon or under any canal or inland navigation along its course, the provisions contained in the proviso to subsection (1) of this section shall not apply, and in lieu thereof the following conditions shall apply:—

(i) The provisions of paragraphs (*c*) (i) and (*c*) (ii) of this subsection shall apply as in the case of railways and for that purpose the expression "railway company" shall mean the owners of the canal or inland navigation:

(ii) Save as herein provided, sections fifteen, sixteen, nineteen, and seventy-seven of the schedule to the Electric Lighting (Clauses) Act, 1899, shall, without prejudice to any protection given to the owners of canals by the Electric Lighting Acts and this Act, apply as though the said electric lines were placed in accordance with powers contained in a special order as defined in the Electric Lighting (Clauses) Act, 1899:

(*e*) No electric line shall be placed in the tunnels of any tube railway within the Metropolitan Police area, except with the consent of the company owning such railway:

(*f*) In respect of any electric lines placed or proposed to be placed across any lands or works forming part of any dock or harbour undertaking regulated by Act of Parliament, whether by being carried above ground or below ground, sections fifteen, sixteen, seventeen, nineteen, and seventy-seven of the schedule to the Electric Lighting (Clauses) Act, 1899, shall, without prejudice to any protection given to the authority owning or managing the undertaking by the Electric Lighting Acts and this Act, apply as though the said electric lines were placed in accordance with powers contained in a special order as defined in the Electric Lighting (Clauses) Act, 1899:

(*g*) The sections of the schedule to the Electric Lighting (Clauses) Act, 1899, by this subsection applied to canals, inland navigations, docks and harbours, and lands or works forming part thereof, shall apply thereto as if references in those sections to streets

and persons liable to repair streets and to canals and canal companies included, respectively, canals, inland navigations, docks and harbours, and lands and works forming part of a dock or harbour, and the authority owning or managing the same.

(3) For the purposes of this section, any company or body or person entitled by virtue of any Act of Parliament to receive tolls or dues in respect of the navigation on or use of any canal, inland navigation, dock or harbour shall be deemed to be owners of such canal, inland navigation, dock or harbour.

(4) Section fourteen of the schedule to the Electric Lighting (Clauses) Act, 1899, so far as it relates to the Postmaster-General, shall be incorporated with this section, and shall apply to the execution of any works which will involve the placing of lines across or along any land, whether below ground or above ground, under this section in like manner as it applies to the execution of works which will involve the placing of lines in, under, along, or across any street or public bridge.

(5) Nothing in this section shall prejudice or affect the rights of the Postmaster-General in relation to railways, canals, docks, and harbours under the Telegraph Acts, 1863 to 1916, or any agreement or award made thereunder, or shall operate in such a manner as to interfere with or involve additional expense in the exercise of any such rights.

(6) A notice under this section may be served on the owner or occupier of any land by delivering it to him, or by leaving it or forwarding it by post addressed to him at his usual or last known place of abode, and may be addressed by the description of the owner or occupier of the lands (naming them) without further name or description.

Supply of apparatus.

23.—(1) A joint electricity authority and any local authority authorised by special Act or by order to supply electricity may provide, let for hire, and in respect thereof may connect, repair, maintain and remove (but shall not, unless expressly authorised to do so by the special Act or order, manufacture or sell) electric lines, fittings, apparatus and appliances for lighting, heating and motive power and for all other purposes for which electricity can or may be used, and with respect thereto may demand and take such remuneration or rents and charges, and make such terms and conditions, as may be agreed upon.

(2) Any electric lines, fittings, apparatus and appliances provided by or on behalf of any authorised distributors on consumers' premises either before or after the passing of this Act, and any lands, buildings, or works held by them in connection therewith shall be deemed to form part of the undertaking authorised by the special Act or order relating to such authorised distributors.

Alteration of type of current, &c.

24. The Electricity Commissioners may require any authorised undertakers to amend or alter the type of current, frequency

or pressure employed by them in their undertaking, and the execution of the works necessary to comply with such an order shall be a purpose for which a local authority may borrow under the Electric Lighting Acts: Provided that this section shall not apply to electricity generated at a railway generating station existing at the passing of this Act, and that, if on appeal by any authorised undertakers, the Board of Trade are satisfied that compliance with the order would entail unreasonable expense, the Board of Trade may direct that the order shall not apply to those undertakers, or apply only subject to such conditions as the Board of Trade may prescribe.

Amendment of s. 26 of Act of 1882. 45 & 46 Vict. c. 56.

25. Section twenty-six of the Electric Lighting Act, 1882 (which contains provisions for the protection of the Postmaster-General), shall have effect as if the words "or the laying of "connections with mains where the direction of the electric "lines so laid down crosses the line of the Postmaster-General "at right angles at the point of shortest distance, and con-"tinues the same for a distance of six feet on each side of such "point" were omitted, and as if for the words "not more than "twenty-eight nor less than seven clear days" there were substituted the words "one month, or, in the case of the laying "of service lines to consumers' premises, seven clear days."

Substitution of special for provisional orders.

26. Anything which under the Electric Lighting Acts may be effected by a provisional order confirmed by Parliament may be effected by a special order made by the Electricity Commissioners and confirmed by the Board of Trade under and in accordance with the provisions of this Act, or by an order establishing a joint electricity authority under this Act, and references in those Acts and the Electric Lighting (Clauses) Act, 1899, to provisional orders shall be construed as including references to such special orders and orders as aforesaid, except that the paragraphs numbered (1) to (4) of section four of the Electric Lighting Act, 1882, shall not apply to such special orders and orders as aforesaid, and any provisional order made under the Electric Lighting Acts and confirmed by Parliament may be amended or revoked by any such special order or order as aforesaid:

Provided that a special order made in pursuance of the powers conferred by this section shall be laid before each House of Parliament, and shall not come into force unless and until approved, either with or without modifications, by a resolution passed by each such House.

Power to require accounts, statistics, and returns.

27. It shall be the duty of joint electricity authorities and authorised undertakers to furnish to the Electricity Commissioners at such times and in such form and manner as the Commissioners may direct such accounts, statistics, and returns as they may require for the purposes of their powers and duties under this Act.

FINANCIAL PROVISIONS.

Revenue and expenditure of joint electr city authorities.

28.—(1) Every joint electricity authority shall establish a fund to which all receipts by the authority shall be carried, and out of which all payments by the authority shall be made.

(2) Every joint electricity authority shall annually, at such time as the Electricity Commissioners may fix, submit to the Electricity Commissioners such a statement of income and expenditure on revenue account as the Electricity Commissioners may require.

(3) The accounts of every joint electricity authority and their officers shall be audited by auditors appointed by the Electricity Commissioners, and the audit shall be conducted in accordance with such regulations as may be prescribed by the Electricity Commissioners, and the regulations may apply with the necessary modifications the provisions relating to the accounts and audit of accounts of county councils and their officers.

(4) Every joint electricity authority shall, annually at such date and in such form as the Electricity Commissioners may prescribe, make to the Electricity Commissioners a report of their proceedings during the preceding year.

Expenses of Electricity Commissioners.

29.—(1) The Electricity Commissioners shall, at the beginning of each financial year, prepare an estimate of their receipts and expenditure during the year, and submit it for approval by the Board of Trade.

(2) The Electricity Commissioners shall apportion the amount by which the estimated expenses so approved exceed the estimated receipts so approved amongst the several joint electricity authorities and authorised undertakers within the United Kingdom in proportion to the number of units of electricity generated by or on behalf of those authorities and undertakers respectively in the preceding year; and every such authority or undertaker shall, on demand from the Electricity Commissioners, pay to them as a contribution towards their expenses the sum so apportioned:

Provided that, during the first two years after the passing of this Act, the amount of such excess shall be paid out of moneys provided by Parliament, but such payments shall be treated as advances and shall be repaid, with interest at such rate as the Treasury may fix, by the Commissioners by equal annual instalments in the next three succeeding years.

(3) All sums received by the Commissioners shall be paid into a separate fund, and out of that fund the salaries, remuneration, pensions and gratuities of the Commissioners, their secretary, officers, and servants and all expenses incurred by the Commissioners shall be paid, and the Treasury may determine that that fund shall be a public fund within the meaning of the Superannuation Act, 1892. 55 & 56 Vict. c. 40.

Subscriptions to associations.

30. Subject to the consent of the Electricity Commissioners, joint electricity authorities or any authorised undertakers may,

out of the revenue of their undertakings, pay reasonable subscriptions, whether annual or otherwise, to the funds of any association formed for the purpose of consultation as to their common interests and the discussion of matters relating to the supply of electricity, and to the funds of any recognised association conducted on a non-profit earning basis for developing the use of electricity, and may purchase reports of the proceedings of any conferences or meetings, and may pay the reasonable expenses of attendance of any members or officers of the joint electricity authority or undertaker at conferences or meetings of the said association or any of them.

GENERAL.

Application to electricity of 38 & 39 Vict. c. 86. s. 4.

31. Section four of the Conspiracy and Protection of Property Act, 1875 (which relates to breaches of contract by persons employed in the supply of gas or water), shall extend to persons employed by a joint electricity authority or by any authorised undertakers in like manner as it applies to persons mentioned in that section, with the substitution of references to electricity for the references to gas or water.

Provisions as to agreements and arrangements under this Act.

32.—(1) Where under this Act a joint electricity authority are authorised to enter into an agreement or arrangement with any authorised undertakers or any other authority, company, or person for any purpose, it shall be lawful for those undertakers, authority, company, or person to enter into and carry into effect such an agreement or arrangement.

(2) Where a local authority, as authorised undertakers, enter into an agreement or arrangement with a joint electricity authority or any other authorised undertakers in pursuance of this Act, any expenses incurred by the local authority in carrying the agreement or arrangement into effect shall be deemed to be expenses incurred by them under or in pursuance of the Electric Lighting Acts and the provisions of section seven and section eight of the Electric Lighting Act, 1882, shall apply accordingly, and any moneys received by any such local authority under any such agreement or arrangement shall be deemed to be moneys received by the local authority in respect of their undertaking.

(3) Where by this Act an order may be made conferring on a joint electricity authority or authorised undertakers or other persons such powers as may be necessary for carrying into effect an agreement or arrangement entered into by them under this Act or for doing anything which under this Act they are authorised to do, and amongst the powers to be conferred by the order are included powers of breaking up streets, railways, and tramways other than such as can be broken up under any order or special Act relating to the joint electricity authority or undertakers, the order, unless it is an order made under section seven of this Act, shall be a

special order, and shall apply or incorporate the provisions of the Electric Lighting Acts and the Electric Lighting (Clauses) Act, 1899, relating to breaking up of streets, railways, and tramways.

Power to hold inquiries.

33.—(1) The Electricity Commissioners may hold, or cause to be held, such inquiries as they consider necessary or desirable for the purposes of this Act, and the Commissioners, and, if authorised by the Commissioners, the person appointed to hold any such inquiry may by order require any person, subject to the payment or tender of the reasonable expenses of his attendance, to attend as a witness and give evidence or to produce documents at the inquiry, and, if any person fails without reasonable excuse to comply with any of the provisions of any such order, he shall be liable on summary conviction to a fine not exceeding five pounds, and the Commissioners or persons holding the inquiry shall have power to take evidence on oath and for that purpose to administer oaths.

(2) Notices of inquiries may be given and published in accordance with such general or special directions as the Commissioners may give.

Power to make rules.

34.—(1) The Board of Trade and the Electricity Commissioners may respectively make rules in relation to applications and other proceedings before them under this Act, and to the payments to be made in respect thereof, and to the publication of notices and advertisements and the manner in which and the time within which representations or objections with reference to any application or other proceeding are to be made, and to the holding of inquiries in such cases as they may think it advisable, and to the costs of such inquiries, and to any other matters arising in relation to their powers and duties under this Act.

(2) Any rules made in pursuance of this section shall be laid before Parliament as soon as may be after they are made, and shall have the same effect as if enacted in this Act.

Procedure for making special orders.

35.—(1) A special order made under this Act by the Electricity Commissioners shall not have any effect unless and until confirmed by the Board of Trade.

1 Edw. 7. c. 22.

(2) Sections eighty and eighty-one of the Factory and Workshop Act, 1901, relating to the making of regulations under that Act, as set out and adapted in the Schedule to this Act, shall apply to the confirmation of special orders made under this Act.

(3) Before any special order, other than a special order which is not valid unless approved by a resolution passed by each House of Parliament, comes into force it shall be laid before each House of Parliament for a period not less than thirty days during which that House is sitting, and, if either of those Houses before the expiration of those thirty days presents an Address to His Majesty against the order or any part thereof,

no further proceedings shall be taken thereon without prejudice to the making of any new order.

(4) A special order so made and confirmed as aforesaid shall have effect as if enacted in this Act.

Definitions.

36. In this Act, unless the context otherwise requires—

The expression "Electric Lighting Acts" means the Electric Lighting Acts, 1882 to 1909:

The expression "authorised undertakers" includes authorised distributors and power companies:

The expression "authorised distributors" means any local authority, company or person, authorised to supply electricity within any area of supply, but does not include a power company except in relation to any supply given by the company under an order made under the Electric Lighting Acts:

The expression "power company" means any company or person (other than a railway company being the owners or lessees of a railway generating station) authorised by special Act to supply electricity to authorised distributors and lighting authorities or to other persons for power purposes, whether with or without a subsidiary power to supply electricity for lighting purposes:

The expression "lighting authority" means any authority, company or person, authorised by any public general or special Act, to undertake or contract for the lighting of streets, bridges or public places:

The expression "generating station" means any station for generating electricity, including any buildings and plant used for the purpose, and the site thereof, and a site intended to be used for a generating station, but does not include any station for transforming, converting, or distributing electricity:

The expression "railway generating station" means a station for generating electricity for use solely or mainly by a railway company for the purposes of their undertaking:

The expression "private generating station" means a generating station for the generation of electricity for use solely or mainly on the owner's or joint owners' premises or for the purposes of his or their undertaking or undertakings, or, where the owner is a subsidiary company, solely or mainly on the premises or for the purposes of the undertaking of the principal company, in any case where the undertaking of the owner or the principal company is not an undertaking belonging to authorised undertakers or to a railway, tramway, canal, inland navigation, harbour or other undertaking providing facilities for or incidental to the transport of goods or passengers:

The expression "subsidiary company" means a company under the control of some other company, or companies, whether by reason of the majority of the voting power being vested in the other company or companies, or their nominees or shareholders, or otherwise, and such other company, or companies, are in relation to the subsidiary company, referred to as the principal company.

The expression "main transmission lines" means all extra high-pressure cables and overhead lines (not being an essential part of an authorised undertaker's distribution system or the distribution system of a railway company or the owners of a dock undertaking) transmitting electricity from a generation station to any other generating station, or to a sub-station, together with any step-up and step-down transformers and switch-gear necessary to, and used for, the control of such cables or overhead lines, and the buildings or such part thereof as may be required to accommodate such transformers and switch-gear:

The expressions "railway company" and "railway" have the same meaning as in the Regulation of Railways Act, 1873: 36 & 37 Vict. c. 48.

The expression "sinking fund charges" includes any charges for the repayment of loans whether by means of a sinking fund or otherwise.

Other expressions have the same meaning as in the Electric Lighting Act, 1909.

References to orders under the Electric Lighting Acts shall include references to deeds of transfer executed in pursuance of powers conferred by those orders.

Application to Scotland.

37. This Act shall apply to Scotland subject to the following modifications:—

(1) "Restrain" includes "interdict":

(2) In appointing advisory committees under section four of this Act, the Electricity Commissioners shall appoint a committee for Scotland.

Application to Ireland.

38. This Act shall apply to Ireland, subject to the following modification:—

A reference to the Local Government Board for Ireland shall be substituted for any reference to the Minister of Health.

Transfer of powers of Board of Trade to Minister of Transport.

39.—(1) All the powers and duties of the Board of Trade under this Act or the Electric Lighting Acts, or the orders and regulations made thereunder, or any local Act relating to the supply of electricity, or any enactment relating to matters incidental to such supply shall, as from such date as His Majesty in Council may fix, be transferred to the Minister of Transport, and accordingly references to the Board of Trade

in any such Acts, orders, regulations, or enactments shall be construed as references to the Minister of Transport:

Provided that the power of appointing Electricity Commissioners under this Act shall be exercised by the Minister of Transport with the concurrence of the Board of Trade.

(2) The Electricity Commissioners shall be solely responsible to the Minister of Transport and, under his direction, shall carry into effect the powers and duties conferred upon them by this Act, and the Minister of Transport shall refer to the Electricity Commissioners for their advice all matters connected with the exercise and performance of the powers and duties transferred to him under this section, except the appointment of the Commissioners and except where any act of, or order by, the Commissioners is by this Act expressly made subject to the approval of or an appeal to the Minister.

Short title and construction.

40.—(1) This Act may be cited as the Electricity (Supply) Act, 1919, and the Electric Lighting Acts, 1882 to 1909, and this Act may be cited together as the Electricity (Supply) Acts, 1882 to 1919.

(2) This Act shall be construed as one with the Electric Lighting Acts.

Section 35.

SCHEDULE.

PROVISIONS OF THE FACTORY AND WORKSHOP ACT, 1901, APPLIED TO SPECIAL ORDERS MADE UNDER THIS ACT.

80.—(1) Before the Board of Trade confirm any special order under this Act, they shall publish, in such manner as they may think best adapted for informing persons affected, notice of the proposal to confirm the order, and of the place where copies of the order may be obtained, and of the time (which shall not be less than twenty-one days) within which any objection made with respect to the order by or on b half of persons affected must be sent to the Board of Trade.

(2) Every objection must be in writing and state—

(*a*) the order or portions of order objected to;

(*b*) the specific grounds of objection; and

(*c*) the omissions, additions, or modifications asked for.

(3) The Board of Trade shall consider any objection made by or on behalf of any persons appearing to them to be affected which is sent to them within the required time, and they may, if they think fit, amend the order, and shall then cause the amended order to be dealt with in like manner as an original order.

(4) Where the Board of Trade do not amend or withdraw any order to which any objection has been made, then (unless the objection either is withdrawn or appears to them to be frivolous) they shall, before confirming the order, direct an inquiry to be held in the manner hereinafter provided, and may, after considering the report of the person who held the inquiry, confirm the order either without modification or subject to such modification as they think fit, or may refuse to confirm the order.

81.—(1) The Board of Trade may appoint a competent and impartial person to hold an inquiry with regard to any order, and to report to them thereon.

(2) The inquiry shall be held in public, and any objector and any other person who, in the opinion of the person holding the inquiry, is affected by the draft order, may appear at the inquiry either in person or by counsel, solicitor, or agent.

(3) The witnesses on the inquiry may, if the person holding it thinks fit, be examined on oath.

(4) Subject as aforesaid, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with rules made by the Board of Trade.

(5) The fee to be paid to the person holding the inquiry shall be such as the Board of Trade may direct.

CHAPTER 101.

An Act to make further provision with respect to the Government of India. [23rd December 1919.]

WHEREAS it is the declared policy of Parliament to provide for the increasing association of Indians in every branch of Indian administration, and for the gradual development of self-governing institutions, with a view to the progressive realisation of responsible government in British India as an integral part of the empire:

And whereas progress in giving effect to this policy can only be achieved by successive stages, and it is expedient that substantial steps in this direction should now be taken:

And whereas the time and manner of each advance can be determined only by Parliament, upon whom responsibility lies for the welfare and advancement of the Indian peoples:

And whereas the action of Parliament in such matters must be guided by the co-operation received from those on whom new opportunities of service will be conferred, and by the extent to which it is found that confidence can be reposed in their sense of responsibility:

And whereas concurrently with the gradual development of self-governing institutions in the Provinces of India it is expedient to give to those Provinces in provincial matters the largest measure of independence of the Government of India, which is compatible with the due discharge by the latter of its own responsibilities:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

LOCAL GOVERNMENTS.

Classification of central and provincial subjects. 5 & 6 Geo. 5. c. 61. 6 & 7 Geo. 5. c. 37.

1.—(1) Provision may be made by rules under the Government of India Act, 1915, as amended by the Government of India (Amendment) Act, 1916 (which Act,

as so amended, is in this Act referred to as "the principal Act")—

(*a*) for the classification of subjects, in relation to the functions of government, as central and provincial subjects, for the purpose of distinguishing the functions of local governments and local legislatures from the functions of the Governor-General in Council and the Indian legislature;

(*b*) for the devolution of authority in respect of provincial subjects to local governments, and for the allocation of revenues or other moneys to those governments;

(*c*) for the use under the authority of the Governor-General in Council of the agency of local governments in relation to central subjects, in so far as such agency may be found convenient, and for determining the financial conditions of such agency; and

(*d*) for the transfer from among the provincial subjects of subjects (in this Act referred to as "transferred subjects") to the administration of the governor acting with ministers appointed under this Act, and for the allocation of revenues or moneys for the purpose of such administration.

(2) Without prejudice to the generality of the foregoing powers, rules made for the above-mentioned purposes may—

(i) regulate the extent and conditions of such devolution, allocation, and transfer;

(ii) provide for fixing the contributions payable by local governments to the Governor-General in Council, and making such contributions a first charge on allocated revenues or moneys;

(iii) provide for constituting a finance department in any province, and regulating the functions of that department;

(iv) provide for regulating the exercise of the authority vested in the local government of a province over members of the public services therein;

(v) provide for the settlement of doubts arising as to whether any matter does or does not relate to a provincial subject or a transferred subject, and for the treatment of matters which affect both a transferred subject and a subject which is not transferred; and

(vi) make such consequential and supplemental provisions as appear necessary or expedient:

Provided that, without prejudice to any general power of revoking or altering rules under the principal Act, the rules shall not authorise the revocation or suspension of the transfer of any subject except with the sanction of the Secretary of State in Council.

(3) The powers of superintendence, direction, and control over local governments vested in the Governor-General in Council under the principal Act shall, in relation to transferred subjects, be exercised only for such purposes as may be specified in rules made under that Act, but the Governor-General in Council shall be the sole judge as to whether the purpose of the exercise of such powers in any particular case comes within the purposes so specified.

(4) The expressions "central subjects" and "provincial subjects" as used in this Act mean subjects so classified under the rules.

Provincial subjects, other than transferred subjects, are in this Act referred to as "reserved subjects."

Borrowing powers of local governments.

2.—(1) The provision in subsection (1) of section thirty of the principal Act, which gives power to local governments to raise money on real or personal estate within the limits of their respective governments by way of mortgage or otherwise, shall have effect as though that provision conferred a power on local governments to raise money on the security of their allocated revenues, and to make proper assurances for that purpose.

(2) Provision may be made by rules under the principal Act as to the conditions under which the power to raise loans on the security of allocated revenues shall be exercised.

(3) The provision in subsection (1) of section thirty of the principal Act, which enables the Secretary of State in Council with the concurrence of a majority of votes at a meeting of the Council of India to prescribe provisions or conditions limiting the power to raise money, shall cease to have effect as regards the power to raise money on the security of allocated revenues.

Revised system of local government in certain provinces.

3.—(1) The presidencies of Fort William in Bengal, Fort St. George, and Bombay, and the provinces known as the United Provinces, the Punjab, Bihar and Orissa, the Central Provinces, and Assam, shall each be governed, in relation to reserved subjects, by a governor in council, and in relation to transferred subjects (save as otherwise provided by this Act) by the governor acting with ministers appointed under this Act.

The said presidencies and provinces are in this Act referred to as "governor's provinces" and the two first-named presidencies are in this Act referred to as the presidencies of Bengal and Madras.

(2) The provisions of section forty-six to fifty-one of the principal Act, as amended by this Act, shall apply to the United Provinces, the Punjab, Bihar and Orissa, the Central Provinces, and Assam, as they apply to the presidencies of Bengal, Madras, and Bombay: Provided that the governors of the said provinces shall be appointed after consultation with the Governor-General

Appointment of ministers

4.—(1) The governor of a governor's province may, by notification, appoint ministers, not being members of his

and council secretaries.

executive council or other officials, to administer transferred subjects, and any ministers so appointed shall hold office during his pleasure.

There may be paid to any minister so appointed in any province the same salary as is payable to a member of the executive council in that province, unless a smaller salary is provided by vote of the legislative council of the province.

(2) No minister shall hold office for a longer period than six months, unless he is or becomes an elected member of the local legislature.

(3) In relation to transferred subjects, the governor shall be guided by the advice of his ministers, unless he sees sufficient cause to dissent from their opinion, in which case he may require action to be taken otherwise than in accordance with that advice: Provided that rules may be made under the principal Act for the temporary administration of a transferred subject where, in cases of emergency, owing to a vacancy, there is no minister in charge of the subject, by such authority and in such manner as may be prescribed by the rules.

(4) The governor of a governor's province may at his discretion appoint from among the non-official members of the local legislature council secretaries, who shall hold office during his pleasure, and discharge such duties in assisting members of the executive council and ministers, as he may assign to them.

There shall be paid to council secretaries so appointed such salary as may be provided by vote of the legislative council.

A council secretary shall cease to hold office if he ceases for more than six months to be a member of the legislative council.

Qualification of members of local executive councils.

5.—(1) The provision in section forty-seven of the principal Act, that two of the members of the executive council of the governor of a province must have been for at least twelve years in the service of the Crown in India, shall have effect as though "one" were substituted for "two," and the provision in that section that the Commander-in-Chief of His Majesty's Forces in India, if resident at Calcutta, Madras, or Bombay, shall, during his continuance there, be a member of the governor's council shall cease to have effect.

(2) Provision may be made by rules under the principal Act as to the qualifications to be required in respect of members of the executive council of the governor of a province in any case where such provision is not made by section forty-seven of the principal Act as amended by this section.

Business of governor in council and governor with ministers.

6.—(1) All orders and other proceedings of the government of a governor's province shall be expressed to be made by the government of the province, and shall be authenticated as the governor may by rule direct, so, however, that provision shall be made by rule for distinguishing orders and other proceedings relating to transferred subjects from other orders and proceedings.

Orders and proceedings authenticated as aforesaid shall not be called into question in any legal proceeding on the ground that they were not duly made by the government of the province.

(2) The governor may make rules and orders for the more convenient transaction of business in his executive council and with his ministers, and every order made or act done in accordance with those rules and orders shall be treated as being the order or the act of the government of the province.

The governor may also make rules and orders for regulating the relations between his executive council and his ministers for the purpose of the transaction of the business of the local government:

Provided that any rules or orders made for the purposes specified in this section which are repugnant to the provisions of any rules made under the principal Act as amended by this Act shall, to the extent of that repugnancy, but not otherwise, be void.

Composition of governors' legislative councils.

7.—(1) There shall be a legislative council in every governor's province, which shall consist of the members of the executive council and of members nominated or elected as provided by this Act.

The governor shall not be a member of the legislative council, but shall have the right of addressing the council, and may for that purpose require the attendance of its members.

(2) The number of members of the governor's legislative councils shall be in accordance with the table set out in the First Schedule to this Act; and of the members of each council not more than twenty per cent. shall be official members, and at least seventy per cent. shall be elected members:

Provided that—

(*a*) subject to the maintenance of the above proportions, rules under the principal Act may provide for increasing the number of members of any council, as specified in that schedule; and

(*b*) the governor may, for the purposes of any Bill introduced or proposed to be introduced in his legislative council, nominate, in the case of Assam one person, and in the case of other provinces not more than two persons, having special knowledge or experience of the subject-matter of the Bill, and those persons shall, in relation to the Bill, have for the period for which they are nominated all the rights of members of the council, and shall be in addition to the numbers above referred to; and

(*c*) members nominated to the legislative council of the Central Provinces by the governor as the result of elections held in the Assigned Districts of Berar shall be deemed to be elected members of the legislative council of the Central Provinces.

(3) The powers of a governor's legislative council may be exercised notwithstanding any vacancy in the council.

(4) Subject as aforesaid, provision may be made by rules under the principal Act as to—

(*a*) the term of office of nominated members of governors' legislative councils, and the manner of filling casual vacancies occurring by reason of absence of members from India, inability to attend to duty, death, acceptance of office, resignation duly accepted, or otherwise; and

(*b*) the conditions under which and manner in which persons may be nominated as members of governors' legislative councils; and

(*c*) the qualification of electors, the constitution of constituencies, and the method of election for governors' legislative councils, including the number of members to be elected by communal and other electorates, and any matters incidental or ancillary thereto; and

(*d*) the qualifications for being and for being nominated or elected a member of any such council; and

(*e*) the final decision of doubts or disputes as to the validity of any election; and

(*f*) the manner in which the rules are to be carried into effect:

Provided that rules as to any such matters as aforesaid may provide for delegating to the local government such power as may be specified in the rules of making subsidiary regulations affecting the same matters.

(5) Subject to any such rules, any person who is a ruler or subject of any State in India may be nominated as a member of a governor's legislative council.

Sessions and duration of governors' legislative councils.

8.—(1) Every governor's legislative council shall continue for three years from its first meeting:

Provided that—

(*a*) the council may be sooner dissolved by the governor; and

(*b*) the said period may be extended by the governor for a period not exceeding one year, by notification in the official gazette of the province, if in special circumstances (to be specified in the notification) he so think fit; and

(*c*) after the dissolution of the council the governor shall appoint a date not more than six months or, with the sanction of the Secretary of State, not more than nine months from the date of dissolution for the next session of the council.

(2) A governor may appoint such times and places for holding the sessions of his legislative council as he thinks fit, and may also, by notification or otherwise, prorogue the council.

(3) Any meeting of a governor's legislative council may be adjourned by the person presiding.

(4) All questions in a governor's legislative council shall be determined by a majority of votes of the members present other than the person presiding, who shall, however, have and exercise a casting vote in the case of an equality of votes.

Presidents of governors' legislative councils.

9.—(1) There shall be a president of a governor's legislative council, who shall, until the expiration of a period of four years from the first meeting of the council as constituted under this Act, be a person appointed by the governor, and shall thereafter be a member of the council elected by the council and approved by the governor:

Provided that, if at the expiration of such period of four years the council is in session, the president then in office shall continue in office until the end of the current session, and the first election of a president shall take place at the commencement of the next ensuing session.

(2) There shall be a deputy-president of a governor's legislative council who shall preside at meetings of the council in the absence of the president, and who shall be a member of the council elected by the council and approved by the governor.

(3) The appointed president of a council shall hold office until the date of the first election of a president by the council under this section, but he may resign office by writing under his hand addressed to the governor, or may be removed from office by order of the governor, and any vacancy occurring before the expiration of the term of office of an appointed president shall be filled by a similar appointment for the remainder of such term.

(4) An elected president and a deputy-president shall cease to hold office on ceasing to be members of the council. They may resign office by writing under their hands addressed to the governor, and may be removed from office by a vote of the council with the concurrence of the governor.

(5) The president and the deputy-president shall receive such salaries as may be determined, in the case of an appointed president, by the governor, and in the case of an elected president or deputy-president, by Act of the local legislature.

Powers of local legislatures.

10.—(1) The local legislature of any province has power, subject to the provisions of this Act, to make laws for the peace and good government of the territories for the time being constituting that province.

(2) The local legislature of any province may, subject to the provisions of the subsection next following, repeal or alter as to

that province any law made either before or after the commencement of this Act by any authority in British India other than that local legislature.

(3) The local legislature of any province may not, without the previous sanction of the Governor-General, make or take into consideration any law—

(*a*) imposing or authorising the imposition of any new tax unless the tax is a tax scheduled as exempted from this provision by rules made under the principal Act; or

(*b*) affecting the public debt of India, or the customs duties, or any other tax or duty for the time being in force and imposed by the authority of the Governor-General in Council for the general purposes of the government of India, provided that the imposition or alteration of a tax scheduled as aforesaid shall not be deemed to affect any such tax or duty; or

(*c*) affecting the discipline or maintenance of any part of His Majesty's naval, military, or air forces; or

(*d*) affecting the relations of the government with foreign princes or states; or

(*e*) regulating any central subject; or

(*f*) regulating any provincial subject which has been declared by rules under the principal Act to be, either in whole or in part, subject to legislation by the Indian Legislature, in respect of any matter to which such declaration applies; or

(*g*) affecting any power expressly reserved to the Governor-General in Council by any law for the time being in force; or

(*h*) altering or repealing the provisions of any law which, having been made before the commencement of this Act by any authority in British India other than that local legislature, is declared by rules under the principal Act to be a law which cannot be repealed or altered by the local legislature without previous sanction; or

(*i*) altering or repealing any provision of an Act of the Indian Legislature made after the commencement of this Act, which by the provisions of that Act may not be repealed or altered by the local legislature without previous sanction:

Provided that an Act or a provision of an Act made by a local legislature, and subsequently assented to by the Governor-General in pursuance of this Act, shall not be deemed invalid by reason only of its requiring the previous sanction of the Governor-General under this Act.

(4) The local legislature of any province has not power to make any law affecting any Act of Parliament.

11.—(1) Subsections (1) and (3) of section eighty of the principal Act (which relate to the classes of business which may be transacted at meetings of local legislative councils) shall cease to apply to a governor's legislative council, but the business and procedure in any such council shall be regulated in accordance with the provisions of this section. Business and procedure in governors' legislative councils.

(2) The estimated annual expenditure and revenue of the province shall be laid in the form of a statement before the council in each year, and the proposals of the local government for the appropriation of provincial revenues and other moneys in any year shall be submitted to the vote of the council in the form of demands for grants. The council may assent, or refuse its assent, to a demand, or may reduce the amount therein referred to either by a reduction of the whole grant or by the omission or reduction of any of the items of expenditure of which the grant is composed:

Provided that—

(*a*) the local government shall have power, in relation to any such demand, to act as if it had been assented to, notwithstanding the withholding of such assent or the reduction of the amount therein referred to, if the demand relates to a reserved subject, and the governor certifies that the expenditure provided for by the demand is essential to the discharge of his responsibility for the subject; and

(*b*) the governor shall have power in cases of emergency to authorise such expenditure as may be in his opinion necessary for the safety or tranquillity of the province, or for the carrying on of any department; and

(*c*) no proposal for the appropriation of any such revenues or other moneys for any purpose shall be made except on the recommendation of the governor, communicated to the council.

(3) Nothing in the foregoing subsection shall require proposals to be submitted to the council relating to the following heads of expenditure:

(i) contributions payable by the local government to the Governor-General in Council; and

(ii) interest and sinking fund charges on loans; and

(iii) expenditure of which the amount is prescribed by or under any law; and

(iv) salaries and pensions of persons appointed by or with the approval of His Majesty or by the Secretary of State in Council; and

(v) salaries of judges of the high court of the province and of the advocate-general.

If any question arises whether any proposed appropriation of moneys does or does not relate to the above heads of expenditure, the decision of the governor shall be final.

(4) Where any Bill has been introduced or is proposed to be introduced, or any amendment to a Bill is moved or proposed to be moved, the governor may certify that the Bill or any clause of it or the amendment affects the safety or tranquillity of his province or any part of it or of another province, and may direct that no proceedings or no further proceedings shall be taken by the council in relation to the Bill, clause or amendment, and effect shall be given to any such direction.

(5) Provision may be made by rules under the principal Act for the purpose of carrying into effect the foregoing provisions of this section and for regulating the course of business in the council, and as to the persons to preside over meetings thereof in the absence of the president and deputy-president, and the preservation of order at meetings; and the rules may provide for the number of members required to constitute a quorum, and for prohibiting or regulating the asking of questions on and the discussion of any subject specified in the rules.

(6) Standing orders may be made providing for the conduct of business and the procedure to be followed in the council, in so far as these matters are not provided for by rules made under the principal Act. The first standing orders shall be made by the governor in council, but may, subject to the assent of the governor, be altered by the local legislatures. Any standing order made as aforesaid which is repugnant to the provisions of any rules made under the principal Act, shall, to the extent of that repugnancy but not otherwise, be void.

(7) Subject to the rules and standing orders affecting the council, there shall be freedom of speech in the governors' legislative councils. No person shall be liable to any proceedings in any court by reason of his speech or vote in any such council, or by reason of anything contained in any official report of the proceedings of any such council.

Return and reservation of Bills.

12.—(1) Where a Bill has been passed by a local legislative council, the governor, lieutenant-governor or chief commissioner may, instead of declaring that he assents to or withholds his assent from the Bill, return the Bill to the council for reconsideration, either in whole or in part, together with any amendments which he may recommend, or, in cases prescribed by rules under the principal Act may, and if the rules so require shall, reserve the Bill for the consideration of the Governor-General.

(2) Where a Bill is reserved for the consideration of the Governor-General, the following provisions shall apply:—

(*a*) The governor, lieutenant-governor or chief commissioner may, at any time within six months from the date of the reservation of the Bill, with the consent of the Governor-General, return the Bill for further consideration by the council with a recommendation that the council shall consider amendments thereto:

(*b*) After any Bill so returned has been further considered by the council, together with any recommendations made by the governor, lieutenant-governor or chief commissioner relating thereto, the Bill, if re-affirmed with or without amendment, may be again presented to the governor, lieutenant-governor, or chief commissioner:

(*c*) Any Bill reserved for the consideration of the Governor-General shall, if assented to by the Governor-General within a period of six months from the date of such reservation, become law on due publication of such assent, in the same way as a Bill assented to by the governor, lieutenant-governor or chief commissioner, but, if not assented to by the Governor-General within such period of six months, shall lapse and be of no effect unless before the expiration of that period either—

(i) the Bill has been returned by the governor, lieutenant-governor or chief commissioner, for further consideration by the council; or

(ii) in the case of the council not being in session, a notification has been published of an intention so to return the Bill at the commencement of the next session.

(3) The Governor-General may (except where the Bill has been reserved for his consideration), instead of assenting to or withholding his assent from any Act passed by a local legislature, declare that he reserves the Act for the signification of His Majesty's pleasure thereon, and in such case the Act shall not have validity until His Majesty in Council has signified his assent and his assent has been notified by the Governor-General.

Provision for case of failure to pass legislation in governors' legislative councils.

13.—(1) Where a governor's legislative council has refused leave to introduce, or has failed to pass in a form recommended by the governor, any Bill relating to a reserved subject, the governor may certify that the passage of the Bill is essential for the discharge of his responsibility for the subject, and thereupon the Bill shall, notwithstanding that the council have not consented thereto, be deemed to have passed, and shall, on signature by the governor, become an Act of the local legislature in the form of the Bill as originally introduced or proposed to be introduced in the council or (as the case may be) in the form recommended to the council by the governor.

(2) Every such Act shall be expressed to be made by the governor, and the governor shall forthwith send an authentic copy thereof to the Governor-General, who shall reserve the Act for the signification of His Majesty's pleasure, and upon the signification of such assent by His Majesty in Council, and the notification thereof by the Governor-General, the Act shall have

the same force and effect as an Act passed by the local legislature and duly assented to:

Provided that, where in the opinion of the Governor-General a state of emergency exists which justifies such action, he may, instead of reserving such Act, signify his assent thereto, and thereupon the Act shall have such force and effect as aforesaid, subject however to disallowance by His Majesty in Council.

(3) An Act made under this section shall, as soon as practicable after being made, be laid before each House of Parliament, and an Act which is required to be presented for His Majesty's assent shall not be so presented until copies thereof have been laid before each House of Parliament for not less than eight days on which that House has sat.

Vacation of seats in local legislative councils.

14. An official shall not be qualified for election as a member of a local legislative council, and, if any non-official member of a local legislative council, whether elected or nominated, accepts any office in the service of the Crown in India, his seat on the council shall become vacant:

Provided that for the purposes of this provision a minister shall not be deemed to be an official and a person shall not be deemed to accept office on appointment as a minister.

Constitution of new provinces, &c., and provision as to backward tracts.

15.—(1) The Governor-General in Council may, after obtaining an expression of opinion from the local government and the local legislature affected, by notification, with the sanction of His Majesty previously signified by the Secretary of State in Council, constitute a new governor's province, or place part of a governor's province under the administration of a deputy-governor to be appointed by the Governor-General, and may in any such case apply, with such modifications as appear necessary or desirable, all or any of the provisions of the principal Act or this Act relating to governors' provinces, or provinces under a lieutenant-governor or chief commissioner, to any such new province or part of a province.

(2) The Governor-General in Council may declare any territory in British India to be a "backward tract," and may, by notification, with such sanction as aforesaid, direct that the principal Act and this Act shall apply to that territory subject to such exceptions and modifications as may be prescribed in the notification. Where the Governor-General in Council has, by notification, directed as aforesaid, he may, by the same or subsequent notification, direct that any Act of the Indian Legislature shall not apply to the territory in question or any part thereof, or shall apply to the territory or any part thereof subject to such exceptions or modifications as the Governor-General thinks fit, or may authorise the governor in council to give similar directions as respects any Act of the local legislature.

Saving.

16.—(1) The validity of any order made or action taken after the commencement of this Act by the Governor-General

in Council or by a local government which would have been within the powers of the Governor-General in Council or of such local government if this Act had not been passed, shall not be open to question in any legal proceedings on the ground that by reason of any provision of this Act or of any rule made by virtue of any such provision such order or action has ceased to be within the powers of the Governor-General in Council or of the government concerned.

(2) Nothing in this Act, or in any rule made thereunder, shall be construed as diminishing in any respect the powers of the Indian legislature as laid down in section sixty-five of the principal Act, and the validity of any Act of the Indian legislature or any local legislature shall not be open to question in any legal proceedings on the ground that the Act affects a provincial subject or a central subject, as the case may be, and the validity of any Act made by the governor of a province shall not be so open to question on the ground that it does not relate to a reserved subject.

(3) The validity of any order made or action taken by a governor in council, or by a governor acting with his ministers, shall not be open to question in any legal proceedings on the ground that such order or action relates or does not relate to a transferred subject, or relates to a transferred subject of which the minister is not in charge.

PART II.

GOVERNMENT OF INDIA.

Indian legislature.

17. Subject to the provisions of this Act, the Indian legislature shall consist of the Governor-General and two chambers, namely, the Council of State and the Legislative Assembly.

Except as otherwise provided by or under this Act, a Bill shall not be deemed to have been passed by the Indian legislature unless it has been agreed to by both chambers, either without amendment or with such amendments only as may be agreed to by both chambers.

Council of State.

18.—(1) The Council of State shall consist of not more than sixty members nominated or elected in accordance with rules made under the principal Act, of whom not more than twenty shall be official members.

(2) The Governor-General shall have power to appoint, from among the members of the Council of State, a president and other persons to preside in such circumstances as he may direct.

(3) The Governor-General shall have the right of addressing the Council of State, and may for that purpose require the attendance of its members.

Legislative Assembly

19.—(1) The Legislative Assembly shall consist of members nominated or elected in accordance with rules made under the principal Act.

(2) The total number of members of the Legislative Assembly shall be one hundred and forty. The number of non-elected members shall be forty, of whom twenty-six shall be official members. The number of elected members shall be one hundred:

Provided that rules made under the principal Act may provide for increasing the number of members of the Legislative Assembly as fixed by this section, and may vary the proportion which the classes of members bear one to another, so, however, that at least five-sevenths of the members of the Legislative Assembly shall be elected members, and at least one-third of the other members shall be non-official members.

(3) The Governor-General shall have the right of addressing the Legislative Assembly, and may for that purpose require the attendance of its members.

President of Legislative Assembly.

20.—(1) There shall be a president of the Legislative Assembly, who shall, until the expiration of four years from the first meeting thereof, be a person appointed by the Governor-General, and shall thereafter be a member of the Assembly elected by the Assembly and approved by the Governor-General:

Provided that, if at the expiration of such period of four years the Assembly is in session, the president then in office shall continue in office until the end of the current session, and the first election of a president shall take place at the commencement of the ensuing session.

(2) There shall be a deputy-president of the Legislative Assembly, who shall preside at meetings of the Assembly in the absence of the president, and who shall be a member of the Assembly elected by the Assembly and approved by the Governor-General.

(3) The appointed president shall hold office until the date of the election of a president under this section, but he may resign his office by writing under his hand addressed to the Governor-General, or may be removed from office by order of the Governor-General, and any vacancy occurring before the expiration of his term of office shall be filled by a similar appointment for the remainder of such term.

(4) An elected president and a deputy-president shall cease to hold office if they cease to be members of the Assembly. They may resign office by writing under their hands addressed to the Governor-General, and may be removed from office by a vote of the Assembly with the concurrence of the Governor-General.

(5) A president and deputy-president shall receive such salaries as may be determined, in the case of an appointed president by the Governor-General, and in the case of an elected president and a deputy-president by Act of the Indian legislature.

Duration and sessions of Legislative Assembly and Council of State.

21. Every Council of State shall continue for five years, and every Legislative Assembly for three years, from its first meeting:

Provided that—

(*a*) either chamber of the legislature may be sooner dissolved by the Governor-General; and

(*b*) any such period may be extended by the Governor-General if in special circumstances he so thinks fit; and

(*c*) after the dissolution of either chamber the Governor-General shall appoint a date not more than six months, or, with the sanction of the Secretary of State, not more than nine months after the date of dissolution for the next session of that chamber.

(2) The Governor-General may appoint such times and places for holding the sessions of either chamber of the Indian legislature as he thinks fit, and may also from time to time, by notification or otherwise, prorogue such sessions.

(3) Any meeting of either chamber of the Indian legislature may be adjourned by the person presiding.

(4) All questions in either chamber shall be determined by a majority of votes of members present other than the presiding member, who shall, however, have and exercise a casting vote in the case of an equality of votes.

(5) The powers of either chamber of the Indian legislature may be exercised notwithstanding any vacancy in the chamber.

Membership of both chambers.

22.—(1) An official shall not be qualified for election as a member of either chamber of the Indian legislature, and, if any non-official member of either chamber accepts office in the service of the Crown in India, his seat in that chamber shall become vacant.

(2) If an elected member of either chamber of the Indian legislature becomes a member of the other chamber, his seat in such first-mentioned chamber shall thereupon become vacant.

(3) If any person is elected a member of both chambers of the Indian legislature, he shall, before he takes his seat in either chamber, signify in writing the chamber of which he desires to be a member, and thereupon his seat in the other chamber shall become vacant.

(4) Every member of the Governor-General's Executive Council shall be nominated as a member of one chamber of the Indian legislature, and shall have the right of attending in and addressing the other chamber, but shall not be a member of both chambers.

Supplementary provisions as to composition of Legislative

23.—(1) Subject to the provisions of this Act, provision may be made by rules under the principal Act as to—

(*a*) the term of office of nominated members of the Council of State and the Legislative Assembly, and the

Assembly and Council of State.

manner of filling casual vacancies occurring by reason of absence of members from India, inability to attend to duty, death, acceptance of office, or resignation duly accepted, or otherwise; and

(*b*) the conditions under which and the manner in which persons may be nominated as members of the Council of State or the Legislative Assembly; and

(*c*) the qualification of electors, the constitution of constituencies, and the method of election for the Council of State and the Legislative Assembly (including the number of members to be elected by communal and other electorates) and any matters incidental or ancillary thereto; and

(*d*) the qualifications for being or for being nominated or elected as members of the Council of State or the Legislative Assembly; and

(*e*) the final decision of doubts or disputes as to the validity of an election; and

(*f*) the manner in which the rules are to be carried into effect.

(2) Subject to any such rules, any person who is a ruler or subject of any state in India may be nominated as a member of the Council of State or the Legislative Assembly.

Business proceedings in Indian legislature.

24.—(1) Subsections (1) and (3) of section sixty-seven of the principal Act (which relate to the classes of business which may be transacted by the Indian legislative council) shall cease to have effect.

(2) Provision may be made by rules under the principal Act for regulating the course of business and the preservation of order in the chambers of the Indian legislature, and as to the persons to preside at the meetings of the legislative assembly in the absence of the president and the deputy president; and the rules may provide for the number of members required to constitute a quorum, and for prohibiting or regulating the asking of questions on, and the discussion of, any subject specified in the rules.

(3) If any Bill which has been passed by one chamber is not, within six months after the passage of the Bill by that chamber, passed by the other chamber either without amendments or with such amendments as may be agreed to by the two chambers, the Governor-General may in his discretion refer the matter for decision to a joint sitting of both chambers: Provided that standing orders made under this section may provide for meetings of members of both chambers appointed for the purpose, in order to discuss any difference of opinion which has arisen between the two chambers.

(4) Without prejudice to the powers of the Governor-General under section sixty-eight of the principal Act, the Governor-General may, where a Bill has been passed by both chambers of

the Indian legislature, return the Bill for reconsideration by either chamber.

(5) Rules made for the purpose of this section may contain such general and supplemental provisions as appear necessary for the purpose of giving full effect to this section.

(6) Standing orders may be made providing for the conduct of business and the procedure to be followed in either chamber of the Indian legislature in so far as these matters are not provided for by rules made under the principal Act. The first standing orders shall be made by the Governor-General in Council, but may, with the consent of the Governor-General, be altered by the chamber to which they relate.

Any standing order made as aforesaid which is repugnant to the provisions of any rules made under the principal Act shall, to the extent of that repugnancy but not otherwise, be void.

(7) Subject to the rules and standing orders affecting the chamber, there shall be freedom of speech in both chambers of the Indian legislature. No person shall be liable to any proceedings in any court by reason of his speech or vote in either chamber, or by reason of anything contained in any official report of the proceedings of either chamber.

Indian budget.

25.—(1) The estimated annual expenditure and revenue of the Governor-General in Council shall be laid in the form of a statement before both chambers of the Indian legislature in each year.

(2) No proposal for the appropriation of any revenue or moneys for any purpose shall be made except on the recommendation of the Governor-General.

(3) The proposals of the Governor-General in Council for the appropriation of revenue or moneys relating to the following heads of expenditure shall not be submitted to the vote of the legislative assembly, nor shall they be open to discussion by either chamber at the time when the annual statement is under consideration, unless the Governor-General otherwise directs—

(i) interest and sinking fund charges on loans ; and

(ii) expenditure of which the amount is prescribed by or under any law ; and

(iii) salaries and pensions of persons appointed by or with the approval of His Majesty or by the Secretary of State in Council ; and

(iv) salaries of chief commissioners and judicial commissioners ; and

(v) expenditure classified by the order of the Governor-General in Council as—

(*a*) ecclesiastical ;

(*b*) political ;

(*c*) defence.

(4) If any question arises whether any proposed appropriation of revenue or moneys does or does not relate to the above heads, the decision of the Governor-General on the question shall be final.

(5) The proposals of the Governor-General in Council for the appropriation of revenue or moneys relating to heads of expenditure not specified in the above heads shall be submitted to the vote of the legislative assembly in the form of demands for grants.

(6) The legislative assembly may assent or refuse its assent to any demand or may reduce the amount referred to in any demand by a reduction of the whole grant.

(7) The demands as voted by the legislative assembly shall be submitted to the Governor-General in Council, who shall, if he declares that he is satisfied that any demand which has been refused by the legislative assembly is essential to the discharge of his responsibilities, act as if it had been assented to, notwithstanding the withholding of such assent, or the reduction of the amount therein referred to, by the legislative assembly.

(8) Notwithstanding anything in this section, the Governor-General shall have power, in cases of emergency, to authorise such expenditure as may, in his opinion, be necessary for the safety or tranquillity of British India or any part thereof.

Provision for case of failure to pass legislation.

26.—(1) Where either chamber of the Indian legislature refuses leave to introduce, or fails to pass in a form recommended by the Governor-General, any Bill, the Governor-General may certify that the passage of the Bill is essential for the safety, tranquillity or interests of British India or any part thereof, and thereupon—

(*a*) If the Bill has already been passed by the other chamber, the Bill shall, on signature by the Governor-General, notwithstanding that it has not been consented to by both chambers, forthwith become an Act of the Indian legislature in the form of the Bill as originally introduced or proposed to be introduced in the Indian legislature, or (as the case may be) in the form recommended by the Governor-General; and

(*b*) If the Bill has not already been so passed, the Bill shall be laid before the other chamber, and, if consented to by that chamber in the form recommended by the Governor-General, shall become an Act as aforesaid on the signification of the Governor-General's assent, or, if not so consented to, shall, on signature by the Governor-General, become an Act as aforesaid.

(2) Every such Act shall be expressed to be made by the Governor-General, and shall, as soon as practicable after being made, be laid before both Houses of Parliament, and shall not

have effect until it has received His Majesty's assent, and shall not be presented for His Majesty's assent until copies thereof have been laid before each House of Parliament for not less than eight days on which that House has sat; and upon the signification of such assent by His Majesty in Council, and the notification thereof by the Governor-General, the Act shall have the same force and effect as an Act passed by the Indian legislature and duly assented to:

Provided that, where in the opinion of the Governor-General a state of emergency exists which justifies such action, the Governor-General may direct that any such Act shall come into operation forthwith, and thereupon the Act shall have such force and effect as aforesaid, subject, however, to disallowance by His Majesty in Council.

Supplemental provisions as to powers of Indian legislature.

27.—(1) In addition to the measures referred to in sub-section (2) of section sixty-seven of the principal Act, as requiring the previous sanction of the Governor-General, it shall not be lawful without such previous sanction to introduce at any meeting of either chamber of the Indian legislature any measure—

(*a*) regulating any provincial subject, or any part of a provincial subject, which has not been declared by rules under the principal Act to be subject to legislation by the Indian legislature; or

(*b*) repealing or amending any Act of a local legislature; or

(*c*) repealing or amending any Act or ordinance made by the Governor-General.

(2) Where in either chamber of the Indian legislature any Bill has been introduced, or is proposed to be introduced, or any amendment to a Bill is moved, or proposed to be moved, the Governor-General may certify that the Bill, or any clause of it, or the amendment, affects the safety or tranquillity of British India, or any part thereof, and may direct that no proceedings, or that no further proceedings, shall be taken by the chamber in relation to the Bill, clause, or amendment, and effect shall be given to such direction.

Composition of Governor-General's executive council.

28.—(1) The provision in section thirty-six of the principal Act, imposing a limit on the number of members of the Governor-General's executive council, shall cease to have effect.

(2) The provision in section thirty-six of the principal Act as to the qualification of members of the council shall have effect as though the words "at the time of their appointment" were omitted, and as though after the word "Scotland" there were inserted the words "or a pleader of the High Court" and as though "ten years" were substituted for "five years."

(3) Provision may be made by rules under the principal Act as to the qualifications to be required in respect of members of the Governor-General's executive council, in any case where

such provision is not made by section thirty-six of the principal Act as amended by this section.

(4) Subsection (2) of section thirty-seven of the principal Act (which provides that when and so long as the Governor-General's executive council assembles in a province having a governor the governor shall be an extraordinary member of the council) shall cease to have effect.

Appointment of council secretaries.

29.—(1) The Governor-General may at his discretion appoint, from among the members of the legislative assembly, council secretaries, who shall hold office during his pleasure and discharge such duties in assisting the members of his executive council as he may assign to them.

(2) There shall be paid to council secretaries so appointed such salary as may be provided by the Indian legislature.

(3) A council secretary shall cease to hold office if he ceases for more than six months to be a member of the legislative assembly.

PART III.

SECRETARY OF STATE IN COUNCIL.

Payment of salary of Secretary of State, &c., out of moneys provided by Parliament.

30. The salary of the Secretary of State, the salaries of his under-secretaries, and any other expenses of his department may, notwithstanding anything in the principal Act, instead of being paid out of the revenues of India, be paid out of moneys provided by Parliament, and the salary of the Secretary of State shall be so paid.

Council of India.

31. The following amendments shall be made in section three of the principal Act in relation to the composition of the Council of India, the qualification, term of office, and remuneration of its members :—

(1) The provisions of subsection (1) shall have effect as though "eight" and "twelve" were substituted for "ten" and "fourteen" respectively, as the minimum and maximum number of members, provided that the council, as constituted at the time of the passing of this Act, shall not be affected by this provision, but no fresh appointment or re-appointment thereto shall be made in excess of the maximum prescribed by this provision.

(2) The provisions of subsection (3) shall have effect as if "one-half" were substituted for "nine" and "India" were substituted for "British India."

(3) In subsection (4) "five years" shall be substituted for "seven years" as the term of office of members of the council, provided that the tenure of office of any person who is a member of the council at the time of the passing of this Act shall not be affected by this provision.

(4) The provisions of subsection (8) shall cease to have effect and in lieu thereof the following provisions shall be inserted:

"There shall be paid to each member of the Council of India the annual salary of twelve hundred pounds; provided that any member of the council who was at the time of his appointment domiciled in India shall receive, in addition to the salary hereby provided, an annual subsistence allowance of six hundred pounds.

Such salaries and allowances may be paid out of the revenues of India or out of moneys provided by Parliament."

(5) Notwithstanding anything in any Act or rules, where any person in the service of the Crown in India is appointed a member of the council before completion of the period of such service required to entitle him to a pension or annuity, his service as such member shall, for the purpose of any pension or annuity which would be payable to him on completion of such period, be reckoned as service under the Crown in India whilst resident in India.

Further provisions as to Council of India.

32.—(1) The provision in section six of the principal Act which prescribes the quorum for meetings of the Council of India shall cease to have effect, and the Secretary of State shall provide for a quorum by directions to be issued in this behalf.

(2) The provision in section eight of the principal Act relating to meetings of the Council of India shall have effect as though "month" were substituted for "week."

(3) Section ten of the principal Act shall have effect as though the words "all business of the council or committees "thereof is to be transacted" were omitted, and the words "the business of the Secretary of State in Council or the "Council of India shall be transacted, and any order made or "act done in accordance with such direction shall, subject to "the provisions of this Act, be treated as being an order of the "Secretary of State in Council" were inserted in lieu thereof.

Relaxation of control of Secretary of State.

33. The Secretary of State in Council may, notwithstanding anything in the principal Act, by rule regulate and restrict the exercise of the powers of superintendence, direction and control, vested in the Secretary of State and the Secretary of State in Council, by the principal Act, or otherwise, in such manner as may appear necessary or expedient in order to give effect to the purposes of this Act.

Before any rules are made under this section relating to subjects other than transferred subjects, the rules proposed to be made shall be laid in draft before both Houses of Parliament, and such rules shall not be made unless both Houses by resolution approve the draft either without modification or

addition, or with modifications or additions to which both Houses agree, but upon such approval being given the Secretary of State in Council may make such rules in the form in which they have been approved, and such rules on being so made shall be of full force and effect.

Any rules relating to transferred subjects made under this section shall be laid before both Houses of Parliament as soon as may be after they are made, and, if an Address is presented to His Majesty by either House of Parliament within the next thirty days on which that House has sat after the rules are laid before it praying that the rules or any of them may be annulled, His Majesty in Council may annul the rules or any of them, and those rules shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Correspondence between Secretary of State and India.

34. So much of section five of the principal Act as relates to orders and communications sent to India from the United Kingdom and to orders made in the United Kingdom, and sections eleven, twelve, thirteen, and fourteen of the principal Act, shall cease to have effect, and the procedure for the sending of orders and communications to India and in general for correspondence between the Secretary of State and the Governor-General in Council or any local government shall be such as may be prescribed by order of the Secretary of State in Council.

High Commissioner for India.

35. His Majesty may by Order in Council make provision for the appointment of a High Commissioner for India in the United Kingdom, and for the pay, pension, powers, duties, and conditions of employment of the High Commissioner and of his assistants; and the Order may further provide for delegating to the High Commissioner any of the powers previously exercised by the Secretary of State or the Secretary of State in Council, whether under the principal Act or otherwise, in relation to making contracts, and may prescribe the conditions under which he shall act on behalf of the Governor-General in Council or any local government.

PART IV.

THE CIVIL SERVICES IN INDIA.

The civil services in India.

36.—(1) Subject to the provisions of the principal Act and of rules made thereunder, every person in the civil service of the Crown in India holds office during His Majesty's pleasure, and may be employed in any manner required by a proper authority within the scope of his duty, but no person in that service may be dismissed by any authority subordinate to that by which he was appointed, and the Secretary of State in Council may (except so far as he may provide by rules to the contrary) reinstate any person in that service who has been dismissed.

If any such person appointed by the Secretary of State in Council thinks himself wronged by an order of an official superior in a governor's province, and on due application made to that superior does not receive the redress to which he may consider himself entitled, he may, without prejudice to any other right of redress, complain to the governor of the province in order to obtain justice, and the governor is hereby directed to examine such complaint and require such action to be taken thereon as may appear to him to be just and equitable.

(2) The Secretary of State in Council may make rules for regulating the classification of the civil services in India, the methods of their recruitment, their conditions of service, pay and allowances, and discipline and conduct. Such rules may, to such extent and in respect of such matters as may be prescribed, delegate the power of making rules to the Governor-General in Council or to local governments, or authorise the Indian legislature or local legislatures to make laws regulating the public services:

Provided that every person appointed before the commencement of this Act by the Secretary of State in Council to the civil service of the Crown in India shall retain all his existing or accruing rights, or shall receive such compensation for the loss of any of them as the Secretary of State in Council may consider just and equitable.

(3) The right to pensions and the scale and conditions of pensions of all persons in the civil service of the Crown in India appointed by the Secretary of State in Council shall be regulated in accordance with the rules in force at the time of the passing of this Act. Any such rules may be varied or added to by the Secretary of State in Council and shall have effect as so varied or added to, but any such variation or addition shall not adversely affect the pension of any member of the service appointed before the date thereof.

Nothing in this section or in any rule thereunder shall prejudice the rights to which any person may, or may have, become entitled under the provisions in relation to pensions contained in the East India Annuity Funds Act, 1874. 37 & 38 Vict. c. 12.

(4) For the removal of doubts, it is hereby declared that all rules or other provisions in operation at the time of the passing of this Act, whether made by the Secretary of State in Council or by any other authority, relating to the civil service of the Crown in India, were duly made in accordance with the powers in that behalf, and are confirmed, but any such rules or provisions may be revoked, varied, or added to by rules or laws made under this section.

Appointments to the Indian Civil Service.

37.—(1) Notwithstanding anything in section ninety-seven of the principal Act, the Secretary of State may make appointments to the Indian Civil Service of persons domiciled in India, in accordance with such rules as may be prescribed by the

Secretary of State in Council with the concurrence of the majority of votes at a meeting of the Council of India.

Any rules made under this section shall not have force until they have been laid for thirty days before both Houses of Parliament.

5 & 6 Geo. 5. c. 87.

(2) The Indian Civil Service (Temporary Provisions) Act, 1915 (which confers power during the war and for a period of two years thereafter to make appointments to the Indian Civil Service without examination), shall have effect as though "three years" were substituted for "two years."

Public service commission.

38.—(1) There shall be established in India a public service commission, consisting of not more than five members, of whom one shall be chairman, appointed by the Secretary of State in Council. Each member shall hold office for five years, and may be re-appointed. No member shall be removed before the expiry of his term of office, except by order of the Secretary of State in Council. The qualifications for appointment, and the pay and pension (if any) attaching to the office of chairman and member, shall be prescribed by rules made by the Secretary of State in Council.

(2) The public service commission shall discharge, in regard to recruitment and control of the public services in India, such functions as may be assigned thereto by rules made by the Secretary of State in Council.

Financial control.

39.—(1) An auditor-general in India shall be appointed by the Secretary of State in Council, and shall hold office during His Majesty's pleasure. The Secretary of State in Council shall, by rules, make provision for his pay, powers, duties, and conditions of employment, or for the discharge of his duties in the case of a temporary vacancy or absence from duty.

(2) Subject to any rules made by the Secretary of State in Council, no office may be added to or withdrawn from the public service, and the emoluments of no post may be varied, except after consultation with such finance authority as may be designated in the rules, being an authority of the province or of the Government of India, according as the post is or is not under the control of a local government.

Rules under Part IV.

40. Rules made under this Part of this Act shall not be made except with the concurrence of the majority of votes at a meeting of the Council of India.

PART V.

STATUTORY COMMISSION.

Statutory commission.

41.—(1) At the expiration of ten years after the passing of this Act the Secretary of State, with the concurrence of both Houses of Parliament, shall submit for the approval of His Majesty the names of persons to act as a commission for the purposes of this section.

(2) The persons whose names are so submitted, if approved by His Majesty, shall be a commission for the purpose of inquiring into the working of the system of government, the growth of education, and the development of representative institutions, in British India, and matters connected therewith, and the commission shall report as to whether and to what extent it is desirable to establish the principle of responsible government, or to extend, modify, or restrict the degree of responsible government then existing therein, including the question whether the establishment of second chambers of the local legislatures is or is not desirable.

(3) The commission shall also inquire into and report on any other matter affecting British India and the provinces, which may be referred to the commission by His Majesty.

PART VI.

GENERAL.

Modification of s. 124 of principal Act.

42. Notwithstanding anything in section one hundred and twenty-four of the principal Act, if any member of the Governor-General's Executive Council or any member of any local government was at the time of his appointment concerned or engaged in any trade or business, he may, during the term of his office, with the sanction in writing of the Governor-General, or, in the case of ministers, of the governor of the province, and in any case subject to such general conditions and restrictions as the Governor-General in Council may prescribe, retain his concern or interest in that trade or business, but shall not, during that term, take part in the direction or management of that trade or business.

Signification of Royal Assent.

43. Any assent or disallowance by His Majesty, which under the principal Act is required to be signified through the Secretary of State in Council, shall, as from the passing of this Act, be signified by His Majesty in Council.

Power to make rules.

44.—(1) Where any matter is required to be prescribed or regulated by rules under the principal Act and no special provision is made as to the authority by whom the rules are to be made, the rules shall be made by the Governor-General in Council, with the sanction of the Secretary of State in Council, and shall not be subject to repeal or alteration by the Indian legislature or by any local legislature.

(2) Any rules made under this Act or under the principal Act may be so framed as to make different provision for different provinces.

(3) Any rules to which subsection (1) of this section applies shall be laid before both Houses of Parliament as soon as may be after they are made, and, if an Address is presented to His Majesty by either House of Parliament within the next thirty

days on which that House has sat after the rules are laid before it praying that the rules or any of them may be annulled, His Majesty in Council may annul the rules or any of them, and those rules shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder:

Provided that the Secretary of State may direct that any rules to which this section applies shall be laid in draft before both Houses of Parliament, and in such case the rules shall not be made unless both Houses by resolution approve the draft either without modification or addition, or with modifications or additions to which both Houses agree, but, upon such approval being given, the rules may be made in the form in which they have been approved, and such rules on being so made shall be of full force and effect, and shall not require to be further laid before Parliament.

Amendments of principal Act to carry Act into effect, &c.

45.—(1) The amendments set out in Parts I. and II. of the Second Schedule to this Act, being amendments to incorporate the provisions of this Act in the principal Act, and further amendments consequential on or arising out of those provisions, shall be made in the principal Act, and any question of interpretation shall be settled by reference to the principal Act as so amended. The provisions of the principal Act specified in Part III. of that schedule, being provisions which are obsolete or unnecessary, or which require amendment in detail, are hereby repealed or modified, and shall be dealt with, in the manner shown in the second column of that schedule.

(2) Every enactment and word which is directed by the Government of India (Amendment) Act, 1916, or by this section and the Second Schedule to this Act, to be substituted for or added to any portion of the Government of India Act, 1915, shall form part of the Government of India Act, 1915, in the place assigned to it by the Government of India (Amendment) Act, 1916, or that Schedule; and the Government of India Act, 1915, and all Acts, including this Act, which refer thereto, shall, after the commencement of this Act, be construed as if the said enactment or word had been enacted in the Government of India Act, 1915, in the place so assigned, and, where it is substituted for another enactment or word, had been so enacted in lieu of that enactment or word.

A copy of the Government of India Act, 1915, with the amendments, whether by way of substitution, addition, or omission, required by the Government of India (Amendment) Act, 1916, and by this section and the Second Schedule to this Act, shall be prepared and certified by the Clerk of the Parliaments, and deposited with the Rolls of Parliament, and His Majesty's printer shall print, in accordance with the copy so certified, all copies of the Government of India Act, 1915, which are printed after the passing of this Act, and the Government of India Act,

1915, as so amended, may be cited as "The Government of India Act."

Subsection (3) of section eight of the Government of India (Amendment) Act, 1916, is hereby repealed.

Definition of official.

46. In this Act the expressions "official" and "non-official," where used in relation to any person, mean respectively a person who is or is not in the civil or military service of the Crown in India:

Provided that rules under the principal Act may provide for the holders of such offices as may be specified in the rules not being treated for the purposes of the principal Act or this Act, or any of them, as officials.

Short title, commencement, interpretation, and transitory provisions.

47.—(1) This Act may be cited as the Government of India Act, 1919, and the principal Act, as amended by any Act for the time being in force, may be cited as the Government of India Act.

(2) This Act shall come into operation on such date or dates as the Governor-General in Council, with the approval of the Secretary of State in Council, may appoint, and different dates may be appointed for different provisions of this Act, and for different parts of India.

On the dates appointed for the coming into operation of the provisions of this Act as respects any executive or legislative council all the members of the council then in office shall go out of office, but may, if otherwise qualified, be re-appointed, re-nominated or re-elected, as the case may be, in accordance with the provisions of the principal Act as amended by this Act.

(3) Any reference in any enactment whether an Act of Parliament or made by any authority in British India, or in any rules, regulations or orders made under any such enactment, or in any letters patent or other document, to any enactment repealed by the principal Act, shall for all purposes be construed as references to the principal Act as amended by this Act, or to the corresponding provision thereof.

(4) Any reference in any enactment in force in India, whether an Act of Parliament or made by any authority in British India, or in any rules, regulations, or orders made under any such enactment, or in any letters patent or other document, to any Indian legislative authority, shall for all purposes be construed as references to the corresponding authority constituted by the principal Act as amended by this Act.

(5) If any difficulty arises as to the first establishment of the Indian legislature or any legislative council after the commencement of this Act or otherwise in first giving effect to the provisions of this Act, the Secretary of State in Council or the Governor-General in Council, as occasion may require, may by order do anything which appears to them necessary for the purpose of removing the difficulty.

SCHEDULES.

Section 7.

FIRST SCHEDULE.

NUMBER OF MEMBERS OF LEGISLATIVE COUNCILS.

Legislative Council.	Number of Members.
Madras	118
Bombay	111
Bengal	125
United Provinces	118
Punjab	83
Bihar and Orissa	98
Central Provinces	70
Assam	53

Section 45.

SECOND SCHEDULE.

PART I.

The provisions of this Act set out in the first column of the following table shall be incorporated in the principal Act in the manner shown in the second column of that table, subject to the modifications specified in the third column of that table :—

TABLE.

Provision of Act.	Place and Method of Incorporation in the Principal Act.	Modifications.
Section 1	To be inserted as a new section (45A) after s. 45	"this Act" to be substituted for "the Government of "India Act, 1915, . . . "principal Act)," for "the "principal Act," and for "that Act."
Section 3 (1)	To be substituted for s. 46 (1)	——
Section 4	To be substituted for s. 52	"this Act" to be substituted for "the principal Act."

Provision of Act.	Place and Method of Incorporation in the Principal Act.	Modifications.
Section 6 - -	To be substituted for s. 49	"any other rules made under this Act" to be substituted for "any rules made "under the principal Act "as amended by this Act."
Sections 7, 8, 9 -	To be inserted as new sections (72A, 72B, and 72C) after s. 72.	"this Act" to be substituted for "the principal Act."
Section 10 - -	To be inserted as a new section (80A) after s. 80.	"this Act" to be substituted for "the principal Act"; "the commencement of "the Government of India "Act, 1919," to be substituted for "the commence- "ment of this Act" and "such first-mentioned Act" to be substituted for "that Act" in subsection (3).
Section 11 - -	To be inserted as a new section (72D) after s. 72C.	The following subsection to be substituted for subsection (1):— "(1) The provisions contained in this section shall have effect with respect to business and procedure in governors' legislative councils." "this Act" to be substituted for "the principal Act."
Section 12 - -	To be inserted as a new section (81A) after s. 81.	"this Act" to be substituted for "the principal Act."
Section 13 - -	To be inserted as a new section (72E) after s. 72D.	——
Section 14 - -	To be inserted as a new section (80B) after s. 80A.	The following new section to be inserted at the end thereof:— "80C. It shall not be lawful for any member of any local legislative council to introduce, without the previous sanction of the governor, lieutenant-governor or chief commissioner, any measure affecting the public revenues of a province or imposing any charge on those revenues."

Provision of Act.	Place and Method of Incorporation in the Principal Act.	Modifications.
Section 15 - -	To be inserted as a new section (52A) after s. 52.	"this Act" to be substituted for "the principal Act " or this Act," and for "the principal Act and " this Act."
Section 16 (1) and (3).	To be inserted as a new section (52B) after s. 52A.	"the Government of India " Act, 1919," to be substituted for "this Act," where those words first occur, and "that Act," to be substituted for "this Act," where those words secondly occur, and " that " Act or this Act" to be substituted for " this Act," where those words thirdly occur.
Section 16(2) -	To be inserted as a new subsection (2) of s. 84.	" Nothing in the Government " of India Act, 1919, or " this Act" to be substituted for " Nothing in this " Act" and "this Act" to be substituted elsewhere for " the principal Act."
Ss. 17–23 inclusive.	To be inserted as new sections in lieu of ss. 63 and 64, and numbered 63, 63A, 63B, 63C, 63D, 63E, and 64.	"this Act" to be substituted for " the principal Act."
Section 24(2) -	To be inserted as subs.(1) of s. 67 in lieu of the existing subsection (1).	" this Act" to be substituted for " the principal Act."
Section 24(3)–(7).	To be inserted as subsections (3)–(7) of section 67 in lieu of the existing subsection (3).	"this Act" to be substituted for "the principal Act."
Sections 25 and 26.	To be inserted as new sections (67A and 67B) after s. 67.	——
Section 29 - -	To be inserted as a new section (43A) after s. 43.	——
Section 33 - -	To be inserted as a new section (19A) after s. 19.	"this Act" to be substituted for "the principal Act" and "the Government of " India Act, 1919," to be substituted for "this Act."

Provision of Act.	Place and Method of Incorporation in the Principal Act.	Modifications.
Section 34 - -	To be inserted as a new section (11) in lieu of sections 11 to 14 inclusive.	For the words from the beginning of the section down to and including the words "effect and" there shall be substituted the words "Subject to the "provisions of this Act."
Section 35 - -	To be inserted as a new section (29A) after s. 29.	"this Act" to be substituted for "the principal Act."
Sections 36, 38, 39, and 40.	To be inserted as new sections (96B, 96C, 96D, and 96E) after section 96A, constituting a new Part (VIIA.) after Part VII.	"this Act" to be substituted for "the principal Act," and "the Government of "India Act, 1919," to be substituted for "this Act" except in section 40.
Section 37 (1) -	To be inserted as a new subsection (6) of s. 97.	"this section" to be substituted for "section ninety-"seven of the principal "Act," and "any rules "made under this subsec-"tion" to be substituted for "any rules made under "this section."
Section 41 - -	To be inserted as a new section (84A), after s. 84 constituting a new Part VIA. after Part VI.	"the Government of India "Act, 1919," to be substituted for "this Act."
Section 42 - -	To be inserted as a proviso to s. 124.	"Provided that notwith-"standing anything in "this Act" to be substituted for "Notwithstand-"ing anything in section "one hundred and twenty-"four of the principal "Act."
Section 44 - -	To be inserted as a new section (129A) at the beginning of Part XII.	"this Act," to be substituted for "the principal Act" and for "this Act or under "the principal Act."
Section 46 - -	To be inserted as a new paragraph at the end of s. 134.	"in this Act" to be omitted, and "this Act" to be substituted for "the principal "Act" and for "the prin-"cipal Act or this Act."
Section 47 (3) and (4).	To be inserted as new paragraphs at the end of s. 130.	"this Act" to be substituted for "the principal Act" and for "the principal "Act as amended by this "Act."
First Schedule -	To be inserted in lieu of Schedule I.	

PART II.

The provisions of the principal Act specified in the first column of this table shall be amended in the manner shown in the second column.

TABLE.

Section of Act.	Amendment.
2	In subsection (2) "or rules made thereunder" shall be inserted after "this Act." The following subsection shall be substituted for subsection (3):— "(3) The salary of the Secretary of State shall be paid out of moneys provided by Parliament, and the salaries of his under-secretaries and any other expenses of his department may be paid out of the revenues of India or out of moneys provided by Parliament."
3 (1)	"eight" shall be substituted for "ten," and "twelve" shall be substituted for "fourteen," and the following words shall be inserted at the end of the subsection:— "Provided that the council as constituted at the time of the passing of the Government of India Act, 1919, shall not be affected by this provision, but no fresh appointment or re-appointment thereto shall be made in excess of the maximum prescribed by this provision."
3 (3)	"one-half" shall be substituted for "nine," and "India" shall be substituted for "British India."
3 (4)	"five years" shall be substituted for "seven years," and the following words shall be inserted at the end of the subsection:— "Provided that the tenure of office of any person who is a member of the Council at the time of the passing of the Government of India Act, 1919, shall be the same as though that Act had not been passed."
3 (8)	The following subsections shall be substituted for this subsection:— "(8) There shall be paid to each member of the Council of India the annual salary of twelve hundred pounds: Provided that any member of the Council who was at the time of his appointment domiciled in India shall receive, in addition to the salary hereby provided, an annual subsistence allowance of six hundred pounds. Such salaries and allowances may be paid out of the revenues of India or out of moneys provided by Parliament. "(9) Notwithstanding anything in any Act or rule, where any person in the service of the Crown in India is appointed a member of the Council before the completion of the period of such service required to entitle him to a pension or annuity, his service as such member shall, for the purpose of any pension or annuity which would have been payable to him on completion of such period, be reckoned as service under the Crown in India whilst resident in India."

Section of Act.	Amendment.
5	The words of this section from and including the words "but every order" to the end of the section shall be omitted.
6	For "not less than five members are present" there shall be substituted "such number of members are present as "may be prescribed by general directions of the Secretary "of State."
8	For "week" there shall be substituted "month."
10	For "all business of the council or committees thereof is to be transacted" there shall be substituted "the business "of the Secretary of State in Council or the Council of "India shall be transacted, and any order made or act done "in accordance with such direction shall, subject to the pro- "visions of this Act, be treated as being an order of the "Secretary of State in Council."
19	The words of this section from the beginning down to and including "Provided that" shall be omitted.
20 (2) (*d*)	After "under this Act" there shall be inserted "except so far as is otherwise provided under this Act."
21	At the beginning of this section there shall be inserted "Subject to the provisions of this Act and rules made thereunder"
27 (9)	After "revenues of India" there shall be inserted "or out of moneys provided by Parliament."
29	In subsection (1) at the beginning there shall be inserted the words :— "Subject to the provisions of this Act regarding the appointment of a High Commissioner for India,"
30	After subsection (1) the following subsection shall be inserted :— "(1A) A local government may on behalf and in the name of the Secretary of State in Council raise money on the security of revenues allocated to it under this Act, and make proper assurances for that purpose, and rules made under this Act may provide for the conditions under which this power shall be exerciseable." In subsection (2) "subsection (1) of this section" shall be substituted for "this section."
31	"Indian legislature" shall be substituted for "Governor-General in Legislative Council."
33	At the beginning of the section there shall be inserted "Subject to the provisions of this Act and rules made thereunder,"
35	This section shall be omitted.

Section of Act.	Amendment.
36	"ordinary" in subsections (1) and (2) shall be omitted. In subsection (2) for the words from and including "five or" to the end of the subsection there shall be substituted "such as His Majesty thinks fit to appoint." In subsection (3) "at the time of their appointment" shall be omitted, after "Scotland" there shall be inserted "or a pleader of a High Court," and "ten" shall be substituted for "five." In subsection (4) for "person appointed an ordinary member of the council" there shall be substituted "member of the council (other than the Commander-in-Chief for the time being of His Majesty's forces in India)." At the end of the section the following new subsection shall be inserted:— (5) Provision may be made by rules under this Act as to the qualifications to be required in respect of the members of the Governor-General's Executive Council in any case where such provision is not made by the foregoing provisions of this section.
37	The following section shall be substituted for section thirty-seven:— "37. If the Commander-in-Chief for the time being of His Majesty's forces in India is a member of the Governor-General's Executive Council he shall, subject to the provisions of this Act, have rank and precedence in the Council next after the Governor-General."
39	In subsection (2) for "one ordinary member of the council" there shall be substituted "one member of the council (other than the Commander-in-Chief)."
40	At the end of subsection (1) there shall be inserted— "and when so signed shall not be called into question in any legal proceeding on the ground that they were not duly made by the Governor-General in Council."
42	For "ordinary member" there shall be substituted "member (other than the Commander-in-Chief)."
45	At the beginning of the section there shall be inserted "Subject to the provisions of this Act and rules made thereunder."
46	The following subsection shall be substituted for subsection (2):— "(2) The governors of the said presidencies are appointed by His Majesty by warrant under the Royal Sign Manual, and the governors of the said provinces shall be so appointed after consultation with the Governor-General." In subsection (3) "the governors' provinces" shall be substituted for "those presidencies" and "province" shall be substituted for "presidency."

Section of Act.	Amendment.
47	In subsection (2) "One at least of them must be a person who at the time of his appointment has been" shall be substituted for "Two at least of them must be persons who at the time of their appointment have been." The following subsection shall be substituted for subsection (3):— "(3) Provision may be made by rules under this Act as to the qualifications to be required in respect of members of the executive council of the governor of a province in any case where such provision is not made by the foregoing provisions of this section."
48	"province" shall be substituted for "presidency."
50 (2)	"province" shall be substituted for "presidency."
53 (1)	For the words from the beginning down to "the Punjab and" (inclusive) there shall be substituted "The province of," and the words "with or without an executive council" shall be omitted.
57	At the end of the section there shall be inserted "An "order made as aforesaid shall not be called into question "in any legal proceedings on the ground that it was not "duly made by the lieutenant-governor in council."
58	"Assam, the Central Provinces," shall be omitted.
65	For "Governor-General in Legislative Council" there shall be substituted "Indian legislature."
67	"either chamber of the Indian legislature" shall be substituted for "the council." At the end of subsection (2) the following shall be inserted— "or any measure— (i) regulating any provincial subject, or any part of a provincial subject, which has not been declared by rules under this Act to be subject to legislation by the Indian legislature; or (ii) repealing or amending any Act of a local legislature; or (iii) repealing or amending any Act or ordinance made by the Governor-General. "(2A) Where in either chamber of the Indian legislature any Bill has been introduced, or is proposed to be introduced, or any amendment to a Bill is moved, or proposed to be moved, the Governor-General may certify that the Bill, or any clause of it, or the amendment, affects the safety or tranquillity of British India, or any part thereof, and may direct that no proceedings, or that no further proceedings, shall be taken by the chamber in relation to the Bill, clause, or amendment; and effect shall be given to such direction."

Section of Act.	Amendment.
68	"Bill" shall be substituted for "Act" and "a Bill" for "an Act"; "by both chambers of the Indian legislature," shall be substituted for "at a meeting of the Indian Legislative Council," and "whether he was or was not present in council at the passing thereof" shall be omitted. "A Bill passed by both chambers of the Indian legislature shall not become an Act" shall be substituted for "An Act of the Governor-General in Legislative Council has not validity." "in Council" shall be inserted after "His Majesty" and "to the Governor-General through the Secretary of State in Council" shall be omitted.
69	"Indian legislature" shall be substituted for "Governor-General in Legislative Council"; "in Council" shall be inserted after "His Majesty" and "through the Secretary of State in Council" shall be omitted.
70	This section shall be omitted.
71 (2)	"Indian legislature" shall be substituted for "Governor-General in Legislative Council."
72	"Indian legislature" shall be substituted for "Governor-General in Legislative Council."
73	In subsection (1) "a governor or of" shall be omitted and "and of members nominated or elected as hereinafter provided" shall be substituted for "with the addition of members nominated or elected in accordance with rules made under this Act." In subsection (3), "as hereinafter provided" shall be substituted for "in accordance with rules made under this Act." Subsection (4) shall be omitted.
74	This section shall be omitted.
75	This section shall be omitted.
76	In subsection (1) "section" shall be substituted for "Act" and the following proviso shall be substituted for the existing proviso:— "Provided that the number of members so nominated or elected shall not, in the case of the legislative council of a lieutenant-governor, exceed one hundred." In subsection (2) "Non-officials" shall be substituted for "persons not in the civil or military service of the Crown in India." In subsection (4) "Indian legislature or the local legislature" shall be substituted for "Governor-General in Legislative Council."
78	The following provision shall be inserted at the beginning of subsection (1):— "A lieutenant-governor or a chief commissioner who has a legislative council may appoint such times

Section of Act.	Amendment.
	and places for holding the sessions of his legislative council as he thinks fit, and may also, by notification or otherwise, prorogue the council, and any meeting of the legislative council of a lieutenant-governor or a chief commissioner may be adjourned by the person presiding." In subsection (2) "in accordance with rules made under this Act" shall be omitted. For subsection (3) the following subsections shall be substituted:— "(3) All questions at a meeting of the legislative council of a lieutenant-governor or chief commissioner shall be determined by a majority of votes of the members present other than the lieutenant-governor, chief commissioner, or presiding member, who shall, however, have and exercise a casting vote in case of an equality of votes. "(4) Subject to rules affecting the council, there shall be freedom of speech in the legislative councils of lieutenant-governors and chief commissioners. No person shall be liable to any proceedings in any court by reason of his speech or vote in those councils, or by reason of anything contained in any official report of the proceedings of those councils."
79	This section shall be omitted.
80	In subsection (1) after "local legislative council," there shall be inserted "(other than a governor's legislative council)." Subsection (2) shall be omitted. In subsection (3) after "local government" there shall be inserted "of a province other than a governor's province," the word "Governor," where it occurs immediately before the word "Lieutenant-Governor," shall be omitted, and "Indian legislature" shall be substituted for "Governor-General in Legislative Council." At the end of the section the following new subsections shall be inserted:— "(4) The local Government of any province (other than a governor's province) for which a local legislative council is hereafter constituted under this Act shall, before the first meeting of that council, and with the sanction of the Governor-General in Council, make rules for the conduct of legislative business in that council (including rules for prescribing the mode of promulgation and authentication of laws passed by that council). "(5) The local legislature of any such province may, subject to the assent of the lieutenant-governor or chief commissioner, alter the rules for the conduct of legislative business in the local council (including rules prescribing the mode of promulgation and authentication of laws passed by the council) but any alteration so made may be disallowed by the Governor-General in Council, and if so disallowed shall have no effect."

Section of Act.	Amendment.
81	Throughout subsections (1) and (2) and in subsection (3) where it first occurs, for "Act," there shall be substituted "Bill" and in subsection (1) "by" shall be substituted for "at a meeting of" For "an Act" there shall be substituted "a Bill," and for "has no effect" there shall be substituted "shall not become an Act."
82	For "any such Act" where those words occur for the first and third times, there shall be substituted "an Act," and for those words where they occur for the second time there shall be substituted "the Act." In subsection (1) after "His Majesty" there shall be inserted "in Council" and the words "through the Secretary of State in Council" shall be omitted.
83	This section shall be omitted.
84	"an Act of the Indian legislature" shall be substituted for "a law made by the Governor-General in Legislative Council," and "non-official members" shall be substituted for "members not holding office under the Crown in India." In paragraph (*c*) "an Act of" shall be substituted for "a law made by."
86	In subsection (1) "ordinary" shall be omitted, and after the words "Executive Council" where they first occur there shall be inserted the words "(other than the Commander-in-Chief)."
87	"ordinary" shall be omitted, and after "Governor-General," where it occurs for the second time, there shall be inserted "(other than the Commander-in-Chief)."
89	In subsection (4) for "ordinary member of the council" there shall be substituted "member of the council (other than the Commander-in-Chief)."
90	In subsection (1) after "Governor" there shall be inserted "of a presidency." In subsection (4) "ordinary" shall be omitted, and after "executive council" there shall be inserted "(other than the Commander-in-Chief)."
92	"a member" shall be substituted for "an ordinary member" and for "any ordinary member," and after "executive council of the Governor-General" there shall be inserted "(other than the Commander-in-Chief)." In subsection (5) (*a*) "under this Act" shall be omitted.
93 (1)	"either chamber of the Indian legislature" shall be substituted for "the Indian Legislative Council."
95	Before "offices" wherever that word occurs, before "officers," and before "promotions" where it occurs for the second time, there shall be inserted "military."

Section of Act.	Amendment.
97	"Section 96A of this Act" shall be substituted for "the last foregoing section."
110	In subsection (1) after "Governor or Lieutenant-Governor" there shall be inserted "and a minister appointed under this Act."
124	In subsection (4) after "Lieutenant-Governor" where it secondly occurs, there shall be inserted "or being a minister appointed under this Act."
131	"Indian legislature" shall be substituted for "Governor-General in Legislative Council."
134 (4)	The following paragraph shall be substituted for paragraph (4):— (4) "Local government" means, in the case of a governor's province, governor in council or the governor acting with ministers (as the case may require), and, in the case of a province other than a governor's province, a lieutenant-governor in council lieutenant-governor or chief commissioner. "Local legislative council" includes the legislative council in any governor's province, and any other legislative council constituted in accordance with this Act. "Local legislature" means, in the case of a governor's province, the governor and the legislative council of the province, and, in the case of any other province, the lieutenant-governor or chief commissioner in legislative council.
135	The following section shall be substituted for section 135:— "135. This Act may be cited as the Government of India Act."
Second Schedule.	The following Schedule shall be substituted for the Second Schedule:—

SECOND SCHEDULE.

OFFICIAL SALARIES, &c.

Officer.	Maximum Annual Salary.
Governor-General of India	Two hundred and fifty-six thousand rupees.
Governor of Bengal, Madras, Bombay, and the United Provinces.	One hundred and twenty-eight thousand rupees.
Commander-in-Chief of His Majesty's forces in India.	One hundred thousand rupees.
Governor of the Punjab and Bihar and Orissa.	One hundred thousand rupees.
Governor of the Central Provinces.	Seventy-two thousand rupees.
Governor of Assam	Sixty-six thousand rupees.
Lieutenant-governor	One hundred thousand rupees.
Member of the Governor-General's Executive Council (other than the Commander-in-Chief).	Eighty thousand rupees.

Section of Act.	Amendment.

Officer.	Maximum Annual Salary.
Member of the executive council of the governor of Bengal, Madras, Bombay, and the United Provinces.	Sixty-four thousand rupees.
Member of the executive council of the governor of the Punjab and Bihar and Orissa.	Sixty thousand rupees.
Member of the executive council of the governor of the Central Provinces.	Forty-eight thousand rupees.
Member of the executive council of the governor of Assam.	Forty-two thousand rupees

Third Schedule.

The following Schedule shall be substituted for the Third Schedule:—

THIRD SCHEDULE.

OFFICES RESERVED TO THE INDIAN CIVIL SERVICE.

A.—*Offices under the Governor-General in Council.*

1. The offices of secretary, joint secretary, and deputy secretary in every department except the Army, Marine, Education, Foreign, Political, and Public Works Departments: Provided that, if the office of secretary or deputy secretary in the Legislative Department is filled from among the members of the Indian Civil Service, then the office of deputy secretary or secretary in that department, as the case may be, need not be so filled.

2. Three offices of Accountants General.

B.—*Offices in the provinces which were known in the year 1861 as "Regulation Provinces."*

The following offices, namely:—

1. Member of the Board of Revenue.
2. Financial Commissioner.
3. Commissioner of Revenue.
4. Commissioner of Customs.
5. Opium Agent.
6. Secretary in every department except the Public Works or Marine Departments.
7. Secretary to the Board of Revenue.
8. District or sessions judge.
9. Additional district or sessions judge.
10. District magistrate.
11. Collector of Revenue or Chief Revenue Officer of a district.

Fifth Schedule.

"Indian legislature" shall be substituted in the heading for "Governor-General in Legislative Council."

Note.—In parts I. and II. of the Second Schedule to this Act references to any word or expression in any provision of the principal Act or this Act apply, unless the contrary is stated, to that word or expression wherever the word or expression occurs in that provision.

PART III.

Section of Act.	How dealt with.
16	To be omitted.
42	"and signifies his intended absence to the Council" shall be omitted.
45 (2)	To be omitted.
51	"and signifies his intended absence to the Council" and "civil" shall be omitted.
54 (3)	To be omitted.
55 (1)	In paragraph (*b*) after "illness or otherwise" there shall be inserted "and for supplying a vacancy until it is permanently filled."
65	In subsection (1) (*d*) "airmen" shall be inserted after "soldiers," and "or the Air Force Act" shall be inserted after "the Army Act." In subsection (2) (i) "the Air Force Act" shall be inserted after "the Army Act."
67	"naval, or air" shall be substituted for "or naval."
73 (2)	To be omitted.
81	In subsection (1) "whether he was or was not present in Council at the passing of the Act" shall be omitted.
85	The following proviso shall be inserted at the end of subsection (3):— "Provided that nothing in this subsection shall apply to the allowances or other forms of profit and advantage which may have been sanctioned for such persons by the Secretary of State in Council."
87	For "subject to the foregoing provisions of this Act as to leave of absence" there shall be substituted "save in the case of absence on special duty or on leave under a medical certificate" After "council of a governor" there shall be inserted "or of a lieutenant-governor"
88	To be omitted.
89	"entitled under a conditional appointment to succeed to the office of Governor-General, or" and "absolutely" shall be omitted, and for "that office" there shall be substituted "the office of Governor-General"
90	In subsection (1) "conditional or other" shall be omitted. In subsection (3) for "this Act" there shall be substituted "section eighty-nine of this Act," and "respecting the assumption of the office by a person conditionally appointed to succeed thereto" shall be omitted. In subsection (4) "conditional or other" shall be omitted.

Section of Act.	How dealt with.
91	In subsection (1) "conditional or other" shall be omitted.
92	In subsection (1) "conditional or other" shall be omitted. In subsection (3) "then, if any person has been conditionally appointed to succeed to his office and is on the spot, the place of that member shall be supplied by that person, and if no person conditionally appointed to succeed to the office is on the spot" shall be omitted. In subsection (4) "conditionally or" shall be omitted.
115	At the end of subsection (1) the following shall be inserted:— "His Majesty may also by letters patent make such provision as may be deemed expedient for the exercise of the episcopal functions and ecclesiastical jurisdiction of the bishop during a vacancy of any of the said sees or the absence of the bishop thereof." At the end of subsection (2) the following shall be inserted:— "and as metropolitan shall have, enjoy, and exercise such ecclesiastical jurisdiction and functions as His Majesty may by letters patent direct. His Majesty may also by letters patent make such provision as may be deemed expedient for the exercise of such jurisdiction and functions during a vacancy of the See of Calcutta or the absence of the bishop."
118	In subsection (1) "and archdeacons" shall be omitted, and after "letters patent" there shall be inserted "and the archdeacons of those dioceses by their respective diocesan bishops."

CHAPTER 102.

An Act to amend the Old Age Pensions Acts, 1908 and 1911, and the Debtors Act, 1869.

[23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Rate of old age pension.

1. An old age pension under the Old Age Pensions Acts, 1908 and 1911, shall be at the rate set forth in the First Schedule to this Act instead of at the rate set forth in the Schedule to the Old Age Pensions Act, 1908 (in this Act referred to as "the Act of 1908").

8 Edw. 7. c. 40.

Amendment of statutory conditions as to means, nationality, and residence.

2.—(1) The following shall be substituted for paragraphs (2) and (3) of section two of the Act of 1908:—

"(2) The person must satisfy the pension authorities that for at least ten years up to the date of the receipt of

any sum on account of a pension he has been a British subject.

"(3) The person must satisfy the pension authorities that his yearly means as calculated under this Act do not exceed forty-nine pounds seventeen shillings and sixpence."

(2) Paragraph (1) of section three of the Old Age Pensions Act, 1911 (in this Act referred to as "the Act of 1911"), which modifies the statutory condition as to nationality as respects a woman married to an alien, shall have effect as though all the words from "and that" to the end of the paragraph were omitted therefrom. 1 & 2 Geo. 5. c. 16.

(3) The following shall be substituted for the words in paragraph (2) of section three of the Act of 1911 from the beginning of the paragraph down to the word "this provision":—

"It shall be a statutory condition for the receipt of an old age pension by any person, that the person must satisfy the pension authorities, if he is a natural-born British subject, that he has, since attaining the age of fifty years, had his residence in the United Kingdom for an aggregate period of not less than twelve years, and if he is not a natural-born British subject, that he has had his residence in the United Kingdom for an aggregate period of twenty years:

"Provided that for the purpose of computing residence in the United Kingdom under this provision—"

Amendment as to disqualifications.

3.—(1) The following shall be substituted for paragraph (*a*) of subsection (1) of section three of the Act of 1908:—

"(*a*) while he is an inmate of any workhouse or other poor-law institution:

Provided that a person who has become an inmate of any workhouse or other poor-law institution for the purpose of obtaining medical or surgical treatment shall not, during a period of three months from the date on which he becomes such an inmate if he so long continues to require such treatment, be disqualified on the ground only that he is such an inmate for receiving or continuing to receive an old age pension."

(2) The provisions of paragraph (*b*) of subsection (1) of section three of the Act of 1908 (which disqualifies a person who has habitually failed to work according to his ability) shall cease to have effect.

(3) The provisions of subsection (2) of section three of the Act of 1908, as amended by subsection (2) of section four of the Act of 1911, so far as those provisions disqualify a person after the date on which he is released from prison, and subsection (3) of section four of the Act of 1911 (which imposes

a disqualification on persons convicted of offences under the Inebriates Act, 1898), shall cease to have effect.

61 & 62 Vict. c. 60.

Calculation of means.

4.—(1) Subsection (1) of section two of the Act of 1911 (which relates to the calculation of means) shall be amended as follows:—

(*a*) The yearly value of any such property as is mentioned in paragraph (*a*) of the said subsection (1) shall be calculated as follows, that is to say:—

(i) The first twenty-five pounds of the capital value of the said property shall be excluded; and

(ii) The yearly value of the next three hundred and seventy-five pounds of the capital value of the said property shall be taken to be one-twentieth part of the capital value; and

(iii) The yearly value of so much of the capital value of the said property as exceeds the sum of four hundred pounds shall be taken to be one-tenth part of the capital value:

(*b*) In calculating the income mentioned in paragraph (*b*) of the said subsection, no account shall be taken of any amounts received during a period of not more than three months in any year by a person or by the husband or wife of a person, as the case may be, under a medical certificate as sickness benefit from a friendly society or trade union, or under the National Insurance Act, 1911:

1 & 2 Geo. 5. c. 55.

(*c*) No account shall be taken of the furniture and personal effects of a person whatever the value thereof may be:

(*d*) Where a husband is separated from his wife, any sum paid by him to her under a separation order shall be deducted in calculating his means.

(2) Subsection (2) of section two of the Act of 1911 shall have effect as if the following words were added at the end thereof: "and where either of the couple or the couple jointly "is or are entitled to any property, each of them shall be "deemed to be entitled to one half of that property."

Pension not to be taken into account for purposes of Debtors Act.

5. Any sums received by any person by way of an old age pension shall not be included in calculating his means for the purpose of section five of the Debtors Act, 1869.

32 & 33 Vict. c. 62.

Date of commencement of pension or of increased rate of pension.

6.—(1) Where a pension is first allowed the pension shall commence to accrue, and where, by virtue of a decision on any question which has been raised, a pension becomes payable at an increased rate, the pension shall become payable at the increased rate on the first Friday after the date on which the claim for the pension is received by the pension officer or on which the notice of the question is received by the pension officer, as the case may be, or on the first Friday after the date on which the

claimant or the pensioner first becomes entitled to the pension or on which the pension first becomes payable at the increased rate, whichever is the later, or, if the later of those two dates is a Friday, on that Friday.

(2) Where any general public holiday falls on a Friday, the Treasury may, if they think fit, direct that sums payable by way of old age pensions on that Friday shall be paid on some other day, whether earlier or later.

Provision for enabling claims to be made on behalf of persons suffering from mental or other incapacity.

7. Regulations may be made under the Act of 1908 for enabling a local pension committee to appoint a person to exercise on behalf of any claimant or pensioner who is, by reason of any mental or other incapacity unable to act, any right to which that claimant or pensioner may be entitled under the Acts of 1908 and 1911, as amended by this Act, and to authorise any person so appointed to receive on behalf and for the benefit of the claimant or pensioner any sums payable by way of old age pension.

Determination of claims by existing pensioners to have rate of pension increased.

8. If any person who is in receipt of an old age pension at the time of the commencement of this Act or whose claim to an old age pension has been provisionally allowed before that time, claims that the rate of his pension should be increased so as to be in accordance with the scale contained in the First Schedule to this Act, the claim shall, instead of being considered and determined in manner provided by section seven of the Act of 1908, be considered and determined by the pension officer:

Provided that, if the claimant is aggrieved by the decision of the pension officer, he may appeal against the decision to the local pension committee, who shall consider the case and give their decision thereon in the same manner as if the decision of the pension officer were the report of a pension officer on a claim referred to him for report and inquiry under the said section seven.

Saving for existing pensioners.

9.—(1) Where the means of any person who is in receipt of an old age pension at the time of the commencement of this Act would be greater if calculated in accordance with the provisions of the Acts of 1908 and 1911, as amended by this Act, than they would be if calculated in accordance with the provisions of those Acts as not so amended, the means of that person shall, for the purposes of the Acts of 1908 and 1911 and this Act, continue to be calculated as if this Act had not passed.

(2) The provisions of this Act modifying in respect of residence the statutory conditions for the receipt of an old age pension shall not operate so as to disentitle any person who is in receipt of an old age pension at the time of the commencement of this Act from continuing to receive the pension.

Short title, commencement, and repeal.

10.—(1) This Act may be cited as the Old Age Pensions Act, 1919, and shall be construed as one with the Old Age Pensions Acts, 1908 and 1911, and those Acts and this Act may be cited together as the Old Age Pensions Acts, 1908 to 1919.

(2) This Act shall come into operation on the second day of January, nineteen hundred and twenty.

(3) The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

SCHEDULES.

Sections 1 and 8.

FIRST SCHEDULE.

RATE OF PENSION.

Means of Claimant or Pensioner.	Rate of Pension per Week.
Where the yearly means of the claimant or pensioner as calculated under the Old Age Pensions Acts, 1908 and 1911, as amended by this Act—	
do not exceed £26 5*s.*	10*s.*
exceed £26 5*s.*, but do not exceed £31 10*s.*	8*s.*
„ £31 10*s.*, „ „ £36 15*s.*	6*s.*
„ £36 15*s.*, „ „ £42	4*s.*
„ £42, „ „ £47 5*s.*	2*s.*
„ £47 5*s.*, „ „ £49 17*s.* 6*d.*	1*s.*
„ £49 17*s.* 6*d.*	No pension.

Section 10.

SECOND SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
8 Edw. 7. c. 40.	Old Age Pensions Act, 1908.	Subsection (2) of section one; paragraph (*b*) of subsection (1) of section three and in subsection (2) of that section the words "and for a further "period of ten years after the date "on which he is released from "prison"; subsection (2) of section five; Schedule.
1 & 2 Geo. 5. c. 16.	Old Age Pensions Act, 1911.	In paragraph (1) of section three the words from "and that" to the end of the paragraph; section four.

TABLE II.

A

TABLE

OF

The TITLES of the LOCAL and PRIVATE ACTS (including the PUBLIC ACTS of a Local Character) passed during the Session (arranged according to Chapter).

9 & 10 GEORGE 5.—A.D. 1919.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

ROYAL ASSENT, 28th March 1919.

P. i. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow and South Western Railway (Ayr Harbour Transfer). (*Glasgow and South Western Railway (Ayr Harbour Transfer) Order Confirmation.*)

ROYAL ASSENT, 16th April 1919.

P. ii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Leith Harbour and Docks. (*Leith Harbour and Docks Order Confirmation.*)

P. iii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the North British Railway. (*North British Railway Order Confirmation.*)

P. iv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Standard Life Assurance Company. (*Standard Life Assurance Company Order Confirmation.*)

v. An Act to confer further powers upon the Brentford Gas Company and for other purposes. (*Brentford Gas.*)

ROYAL ASSENT, 29th May 1919.

vi. An Act to extend the limits for the supply of gas of the South Shields Gas Company to confer further powers upon that Company in connexion with their undertaking and for other purposes. (*South Shields Gas.*)

vii. An Act for enabling D. H. Evans & Co. Limited to re-arrange its capital and to provide for the cancellation of its founders' shares and to issue fully-paid ordinary shares in exchange therefor and for altering the memorandum and articles of association of that Company and to increase its capital and for enabling D. H. Evans & Co. Founders' Shares Company Limited to accept such ordinary shares of D. H. Evans & Co. Limited in exchange for the founders' shares of that Company and to pay to the directors of D. H. Evans & Co. Founders' Shares Company Limited compensation for loss of office as directors of that company and for other purposes. (*D. H. Evans & Co. Limited.*)

viii. An Act to authorise the closing and disposal of the Church of St. George the Martyr in the City of Oxford and for other purposes. (*Saint George's Church Oxford.*)

ix. An Act to confer further powers upon the Belfast Harbour Commissioners with respect to the levying of tolls rates and charges and for other purposes. (*Belfast Harbour.*)

x. An Act to confer further powers upon the Dover Harbour Board with respect to the levying of tolls rates and charges and for other purposes. (*Dover Harbour.*)

xi. An Act to increase the maximum rates dues tolls and charges leviable by the Blyth Harbour Commissioners. (*Blyth Harbour.*)

xii. An Act to increase the maximum rates dues tolls and charges leviable by the Bristol Corporation in respect of their dock undertaking and for other purposes. (*Bristol Corporation.*)

xiii. An Act to increase the maximum rates dues tolls and charges leviable by the Dublin Port and Docks Board. (*Dublin Port and Docks.*)

xiv. An Act to increase the rates dues rents tolls and charges authorised to be levied and to extend the period for the completion of works authorised to be made by the Mersey Docks and Harbour Board and for other purposes. (*Mersey Docks and Harbour Board.*)

xv. An Act to confer further powers on the Newport Harbour Commissioners with reference to wrecks and abandoned vessels. (*Newport Harbour.*)

xvi. An Act to provide for the transfer of the business of the Bankers Guarantee Trust to the Alliance Assurance Company Limited and for other purposes. (*Bankers Guarantee Trust (Transfer to Alliance Assurance).*)

ROYAL ASSENT, 3rd June 1919.

P. **xvii.** An Act to confirm a Scheme approved and certified by the Board of Education under the Charitable Trusts Act 1853 relating to the Crossley and Porter Orphan Home and School. (*Board of Education Scheme (Crossley and Porter Orphan Home and School) Confirmation*).

xviii. An Act to further postpone the times for the repayment of moneys borrowed by the Swansea Harbour Trustees and for other purposes. (*Swansea Harbour.*)

ROYAL ASSENT, 22nd July 1919.

xix. An Act for conferring further powers upon the Northampton Gaslight Company. (*Northampton Gas.*)

xx. An Act to change the name and extend the objects of the Legal and General Life Assurance Society and for other purposes. (*Legal and General Assurance Society's.*)

xxi. An Act to authorise the mayor aldermen and burgesses of the borough of Hartlepool to acquire the ferry across the harbour at Hartlepool and to maintain improve and work the same and for other purposes. (*Hartlepool Corporation.*)

xxii. An Act to authorise the Mansfield Railway Company to construct a branch railway in the county of Nottingham in extension of their authorised undertaking to raise additional capital and for other purposes. (*Mansfield Railway.*)

xxiii. An Act for changing the system of audit of accounts for the borough of Reigate and for other purposes. (*Reigate Corporation.*)

xxiv. An Act to authorise the Hartlepool Gas and Water Company to construct waterworks to confer further powers upon that Company in connexion with their undertaking and for other purposes. (*Hartlepool Gas and Water.*)

xxv. An Act to sanction and confirm the construction by the Beccles Waterworks Company of existing works and for other purposes. (*Beccles Waterworks.*)

xxvi. An Act to confer further powers on the Tees Conservancy Commissioners with respect to rates and dues. (*Tees Conservancy.*)

xxvii. An Act for incorporating and conferring powers on the Stourport Gas Company. (*Stourport Gas.*)

xxviii. An Act to confer further powers upon the Sunderland Gas Company to extend their limits of supply and for other purposes. (*Sunderland Gas.*)

xxix. An Act to increase the maximum rates dues tolls and charges leviable by the River Wear Commissioners. (*Wear Navigation and Sunderland Dock.*)

xxx. An Act to confer further powers on the Chepstow Water Company and for other purposes. (*Chepstow Water.*)

P. **xxxi.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Bridge of Allan Water. (*Bridge of Allan Water Order Confirmation.*)

P. **xxxii.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Edinburgh and Leith Corporations Gas. (*Edinburgh and Leith Corporations Gas Order Confirmation.*)

ROYAL ASSENT, 31st July 1919.

xxxiii. An Act to confer powers on the London County Council and for other purposes. (*London County Council* (*General Powers*).)

xxxiv. An Act to confer further powers on the Sheringham Gas and Water Company and for other purposes. (*Sheringham Gas and Water.*)

xxxv. An Act to empower the Fylde Water Board to extend the periods limited by the Fylde Water Board Acts 1910 and 1912 for the purchase of certain lands and the construction of certain works to increase the charges for the supply of water and for other purposes. (*Fylde Water Board.*)

xxxvi. An Act to confer further powers on the Llanelly Rural District Council in regard to their water undertaking. (*Llanelly Rural District Water.*)

xxxvii. An Act to authorise the Falmouth Docks Company to make additional works and to raise further capital and for other purposes. (*Falmouth Docks.*)

xxxviii. An Act to extend the powers of the Conservators of the River Medway to make further provisions with reference to the tolls and charges to be taken by the Conservators to provide for the appointment of additional Conservators and for other purposes. (*Medway Conservancy.*)

ROYAL ASSENT, 15th August 1919.

xxxix. An Act to authorise the Newark Gas Company to raise additional capital to confer further powers upon the Company in connexion with their undertaking and for other purposes. (*Newark Gas.*)

xl. An Act to empower the Corporation of Stockton-on-Tees to work tramways to purchase and provide and run omnibuses to establish and work ferries across the River Tees and for other purposes. (*Stockton-on-Tees Corporation.*)

xli. An Act to incorporate and confer powers on the Stocksbridge Gas Company and for other purposes. (*Stocksbridge Gas.*)

xlii. An Act to authorise the Commissioners of the Port and Harbour of Waterford to levy rates on goods to provide for the appointment of the chairman and vice-chairman of the Commissioners to confer further powers on the Commissioners and to amend their existing Acts and for other purposes. (*Waterford Harbour.*)

xliii. An Act to constitute the Corporation of Nuneaton the burial board for the borough to increase the number of the council to make better provision for the health local government and improvement of the borough to confer further powers upon the Corporation with respect to the supply of water and electricity and for other purposes. (*Nuneaton Corporation.*)

xliv. An Act to authorise the mayor aldermen and burgesses of the borough of Poole to acquire the undertaking of the Poole Bridge Company and to make provision with regard to lands in the borough adjacent to the foreshore with regard to the health local government and improvement of the borough the establishment of a fund for the granting of superannuation allowances to officers and servants and for other purposes. (*Poole Corporation.*)

xlv. An Act to regulate the expenditure on capital account and lending of money by the London County Council during the financial period from the first day of April one thousand nine hundred and nineteen to the thirtieth day of September one thousand nine hundred and twenty and for other purposes. (*London County Council (Money).*)

xlvi. An Act to increase the maximum rates dues tolls and charges leviable by the Manchester Ship Canal Company. (*Manchester Ship Canal.*)

xlvii. An Act to make further provision in regard to certain loans raised by the mayor aldermen and burgesses of the county borough of Rotherham for the purposes of their electricity undertaking and in regard to the purchase of certain lands by them and for other purposes. (*Rotherham Corporation.*)

xlviii. An Act to confer further powers upon the Bournemouth Gas and Water Company. (*Bournemouth Gas and Water.*)

xlix. An Act to confer upon the Corporation of the City of Sheffield further powers for the construction of waterworks street improvements and tramways and for other purposes. (*Sheffield Corporation.*)

l. An Act to confer further powers upon the lord mayor aldermen and citizens of the city of Birmingham in regard to their tramway undertaking and for the construction of street improvements and for other purposes. (*Birmingham Corporation Tramways.*)

li. An Act to provide for the transfer to the mayor aldermen and burgesses of the borough of Blackpool of the undertaking of the Blackpool and Fleetwood Tramroad Company and to empower the said mayor aldermen and burgesses to construct additional tramways and a street improvement and for other purposes. (*Blackpool Improvement.*)

lii. An Act to alter the wards of the borough of East Ham to increase the number of aldermen and councillors of the borough to increase the number of guardians representing the parish of East Ham on the West Ham Poor Law Union and for other purposes. (*East Ham Corporation.*)

liii. An Act to empower the lord mayor aldermen and citizens of the city of Leeds to acquire lands for providing further housing accommodation and to construct tramways street improvements and waterworks to extend the boundary of the city and for other purposes. (*Leeds Corporation.*)

liv. An Act to empower the London Electric Railway Company to construct a new subway and for other purposes. (*London Electric Railway.*)

lv. An Act to empower the urban district council of Shoreham-by-Sea to construct a footbridge over the River Adur and for other purposes. (*Shoreham-by-Sea Urban District Council.*)

lvi. An Act to empower the mayor aldermen and burgesses of the borough of Tynemouth to construct a new street and street improvements to provide and run trolley vehicles and omnibuses to make further provision with respect to the acquisition by them of tramways and light railways and to enable them to work the same to make further provision with respect to their water undertaking and for other purposes. (*Tynemouth Corporation.*)

lvii. An Act to empower the mayor aldermen and burgesses of the borough of West Hartlepool to construct a tramroad a tramway and a street work and to provide and work omnibuses within and beyond the borough and for other purposes. (*West Hartlepool Corporation.*)

lviii. An Act to confer powers upon the mayor aldermen and burgesses of the borough of Middlesbrough with respect to tramways and omnibuses to authorise them to construct street works to incorporate the Teesside Railless Traction Board and for other purposes. (*Middlesbrough Corporation.*)

lix. An Act to confer powers upon the mayor aldermen and burgesses of the borough of Workington with regard to the supply of electricity and for other purposes. (*Workington Corporation.*)

lx. An Act for increasing the dues rates tolls and charges leviable by the Tyne Improvement Commissioners and extending the time for completion of works. (*Tyne Improvement.*)

lxi. An Act to make provision for the transfer of the undertakings of the Longwood and Slaithwaite and the Kirkheaton Dalton and Lepton Gas Companies to the mayor aldermen and burgesses of the borough of Huddersfield to make further provision in regard to the gas undertaking of the said mayor aldermen and burgesses and for other purposes. (*Huddersfield Corporation Gas.*)

lxii. An Act for conferring further capital and other powers on the Dover Gas Company. (*Dover Gas.*)

lxiii. An Act for incorporating and conferring powers on the Pembroke District Gas Company. (*Pembroke District Gas.*)

lxiv. An Act to confer further powers on the urban district council of Bedwellty with regard to the supply of electricity and gas and for other purposes. (*Bedwellty Urban District Council.*)

lxv. An Act to enlarge the powers of the lord mayor aldermen and citizens of the city of Birmingham in relation to the provision of housing accommodation and the acquisition of lands to authorise them to establish a savings and housing bank and for other purposes. (*Birmingham Corporation.*)

lxvi. An Act to amend the powers of the Milford Docks Company of levying rates to revive the powers for the construction of a pier and for other purposes. (*Milford Docks.*)

lxvii. An Act to enable the Stretford Urban District Council to purchase the undertaking of the Trafford Power and Light Supply (1902) Limited and to confer further powers on the Council in regard to their electricity undertaking to authorise the Council to provide and run omnibuses and to make further provision for the improvement health good government and finance of the district and for other purposes. (*Stretford Urban District Council.*)

lxviii. An Act to confer further powers upon the Londonderry Port and Harbour Commissioners and for other purposes. (*Londonderry Port and Harbour.*)

lxix. An Act to consolidate the local rates leviable in the city and county of Newcastle-upon-Tyne and to make provision with respect thereto and for other purposes. (*Newcastle-upon-Tyne Corporation* (*Rates*).)

P. lxx. An Act to confirm a Provisional Order under the Inclosure Acts 1845 to 1899 relating to Coity Wallia Commons in the county of Glamorgan and for purposes incidental thereto. (*Commons Regulation* (*Coity Wallia*) *Provisional Order Confirmation.*)

P. lxxi. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Cowes and Findochty. (*Pier and Harbour Orders Confirmation.*)

P. lxxii. An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Chepstow (Extension). (*Electric Lighting Order Confirmation.*)

lxxiii. An Act to amend the enactments relating to the expenses of the Police Force of the City of London. (*City of London Police.*)

P. lxxiv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Elstree and Boreham Wood Gas and Tonbridge Water. (*Gas and Water Orders Confirmation.*)

P. lxxv. An Act to confirm certain Provisional Orders of the Local Government Board relating to Birkenhead Blackburn Godalming Hyde and the District of the Heywood and Middleton Water Board. (*Local Government Board's Provisional Orders Confirmation* (*No.* 1).)

P. lxxvi. An Act to confirm certain Provisional Orders of the Local Government Board relating to Ashborne Beckenham Liverpool Lytham Manchester Padiham and Rhyl. (*Local Government Board's Provisional Orders Confirmation* (*No.* 2).)

P. lxxvii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Bacup Burnley Finchley Scarborough Swindon and the Hitchin Rural and Letchworth Urban Joint Hospital District. (*Local Government Board's Provisional Orders Confirmation* (*No.* 3).)

P. lxxviii. An Act to confirm a Provisional Order of the Local Government Board relating to the Counties of Chester and Lancaster. (*Local Government Board's Provisional Order Confirmation* (*No.* 4).)

P. lxxix. An Act to confirm a Provisional Order of the Local Government Board relating to Lowestoft. (*Local Government Board's Provisional Order Confirmation* (*No.* 5).)

P. lxxx. An Act to confirm a Provisional Order of the Local Government Board relating to the District of the Southport Birkdale and West Lancashire Water Board. (*Local Government Board's Provisional Order Confirmation* (*No.* 6).)

P. lxxxi. An Act to confirm certain Provisional Orders of the Local Government Board relating to Morley and the Middlesex Districts Joint Small-pox Hospital District. (*Local Government Board's Provisional Orders Confirmation.* (*No.* 7).)

P. lxxxii. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the County Borough of Cork and the Urban District of Dungarvan. (*Local Government Board* (*Ireland*) *Provisional Orders Confirmation.*)

P. lxxxiii. An Act to confirm a Scheme of the Charity Commissioners for the application or management of certain Charities. (*Wells Particular Baptist and Congregational Chapels Charities Scheme Confirmation.*)

P. lxxxiv. An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charity called the National Trust for Places of Historic Interest or Natural Beauty incorporated by the National Trust Act 1907 (7 Edw. VII. cap. cxxxvi. Local and Private). (*National Trust Charity Scheme Confirmation.*)

P. lxxxv. An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charity called or known as the Brooke Robinson Museum in the Borough of Dudley in the County of Worcester. (*Brooke Robinson Museum Charity Scheme Confirmation.*)

P. lxxxvi. An Act to confirm a Scheme of the Charity Commissioners for the application or management of certain charities. (*Congregational Chapels Scheme Confirmation.*)

P. lxxxvii. An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charity consisting of certain property in the Parish of Eatington in the County of Warwick used as a schoolroom in connexion with the Wesleyan Methodist Chapel in the said Parish. (*Eatington Wesleyan Methodist Chapel Property Charity Scheme Confirmation.*)

P. lxxxviii. An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charity called or known as Plumptre Hospital in the City of Nottingham. (*Plumptre Hospital Charity Scheme Confirmation.*)

P. lxxxix. An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charity consisting of the Baptist chapel and trust property in the parish of Headcorn in the county of Kent. (*Headcorn Baptist Chapel Charity Scheme Confirmation.*)

P. xc. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Oldham and Chadderton Tramways and Thornaby-on-Tees Corporation Tramway. (*Tramways Orders Confirmation.*)

P. xci. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dundee Harbour and Tay Ferries. (*Dundee Harbour and Tay Ferries Order Confirmation.*)

P. xcii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Greenock Port and Harbours. (*Greenock Port and Harbours Order Confirmation.*)

ROYAL ASSENT, 19th August 1919.

P. xciii. An Act to confer a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Ardrossan Harbour. (*Ardrossan Harbour Order Confirmation.*)

P. xciv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Fraserburgh Harbour. (*Fraserburgh Harbour (Rates) Order Confirmation.*)

P. xcv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Peterhead Harbours. (*Peterhead Harbours Order Confirmation.*)

P. xcvi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation. (*Glasgow Corporation Order Confirmation.*)

P. xcvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Clyde Valley Electrical Power. (*Clyde Valley Electrical Power Order Confirmation.*)

P. xcviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Clyde Navigation. (*Clyde Navigation Order Confirmation.*)

P. xcix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Scottish Widows' Fund and Life Assurance Society. (*Scottish Widows' Fund and Life Assurance Society's Order Confirmation.*)

P. c. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Victoria Infirmary of Glasgow. (*Victoria Infirmary of Glasgow Act* 1888 *(Amendment) Order Confirmation.*)

ci. An Act for empowering the City and South London Railway Company to construct new subways and works to raise further money to alter the periods during which the Company may pay interest out of capital and make up dividends on preference capital and for other purposes. (*City and South London Railway.*)

cii. An Act to authorise the mayor aldermen and citizens of the city of Leicester to acquire certain lands for the purpose of a generating station to confer upon them further powers with reference to the holding and disposal of lands to extend the time for the construction of certain authorised tramways and for other purposes. (*Leicester Corporation.*)

ROYAL ASSENT, 20th November 1919.

ciii. An Act to authorise the acquisition by the Ammanford Gas Company of the undertaking of the Garnant Gas Company to confer further powers on the Ammanford Gas Company and for other purposes. (*Ammanford Gas.*)

P. civ. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Granton Harbour. (*Granton Harbour Order Confirmation.*)

P. cv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Edinburgh Corporation. (*Edinburgh Corporation Order Confirmation.*)

P. cvi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Fraserburgh Harbour. (*Fraserburgh Harbour (New Works) Order Confirmation.*)

P. cvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Arbroath Harbour. (*Arbroath Harbour Order Confirmation.*)

P. cviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Wick Harbour. (*Wick Harbour Order Confirmation.*)

P. cix. An Act to confirm a Provisional Order made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to West Hampshire Water. (*Water Order Confirmation.*)

P. cx. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Scottish Amicable Life Assurance Society. (*Scottish Amicable Life Assurance Society's Order Confirmation.*)

ROYAL ASSENT, 23rd December 1919.

P. cxi. An Act to confirm a Provisional Order under section eight of the Police Act 1893 uniting the Police and Fire Brigade Pension Funds of the City of Cardiff. (*Provisional Order (City of Cardiff Police and Fire Brigade Pension Funds) Confirmation.*)

P. cxii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Greenock Improvement. (*Greenock Improvement Order Confirmation.*)

P. cxiii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation Water. (*Glasgow Water Order Confirmation.*)

P. cxiv. An Act to confirm certain Provisional Orders of the Minister of Health relating to the District of the Rhymney Valley Sewerage Board and to Warrington. (*Ministry of Health Provisional Orders Confirmation (No. 1).*)

cxv. An Act to make amendments with respect to the Constitution and Endowments of the Foundation of the Military Knights of Windsor. (*Military Knights of Windsor.*)

cxvi. An Act to confer further powers on the Swinton and Mexborough Gas Board. (*Swinton and Mexborough Gas Board.*)

cxvii. An Act to authorise the urban district council of Cannock to provide and run omnibuses within and beyond the urban district of Cannock and for other purposes. (*Cannock Urban District Council.*)

cxviii. An Act to confer further powers upon the mayor aldermen and burgesses of the borough of Walsall with regard to their electricity undertaking to authorise the said mayor aldermen and burgesses to provide and work motor omnibuses on additional routes outside the borough to enlarge their powers in relation to the acquisition of lands and to make further provision with regard to the local government and improvement of the borough and for other purposes. (*Walsall Corporation.*)

cxix. An Act to empower the lord mayor aldermen and citizens of the city of Manchester to obtain a supply of water from Haweswater and other sources in Westmorland to provide for the transfer to them of the undertaking of the North Cheshire Water Company to make further provision in regard to their water and electricity undertakings and for other purposes. (*Manchester Corporation.*)

cxx. An Act to incorporate the St. Just (Falmouth) Ocean Wharves and Railways Company and to empower that Company to construct wharves and railways in the county of Cornwall and for other purposes. (*St. Just (Falmouth) Ocean Wharves and Railways.*)

cxxi. An Act to empower the Shropshire Worcestershire and Staffordshire Electric Power Company to raise additional capital and for other purposes. (*Shropshire Worcestershire and Staffordshire Electric Power.*)

cxxii. An Act to authorise the Gosport and Alverstoke Urban District Council to construct works and to establish a ferry undertaking to provide for the constitution of a joint board of that Council and the council of the county borough of Portsmouth for certain purposes in relation to Portsmouth Harbour and for other purposes. (*Gosport and Alverstoke Urban District Council.*)

PRIVATE ACT.

PRINTED BY THE KING'S PRINTER, AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

ROYAL ASSENT, 15th August 1919.

1. An Act for confirming an Agreement between the trustees of the Clowes Settled Estates and the Manchester Ship Canal Company for the conveyance to the company of lands forming part of the settled estates in the county of Lancaster in consideration of rentcharges to be created by the company. (*Clowes Settled Estate.*)

PRIVATE ACTS.

NOT PRINTED.

ROYAL ASSENT, 16th April 1919.

An Act to dissolve the marriage of George Fitzroy Cavendish Clarke of the Steeple Antrim in the County of Antrim Major in His Majesty's Royal Irish Rifles with Florence Jean Cavendish Clarke his now wife and to enable him to marry again and for other purposes. (*Cavendish Clarke Divorce.*)

ROYAL ASSENT, 31st July 1919.

An Act to dissolve the marriage of George Roland Alexander Pallin with Clara Eileen his now wife and to enable him to marry again and for other purposes. (*Pallin's Divorce.*)

An Act to dissolve the marriage of Anna Theodosia Hester Stoney of 69 Adelaide Road Dublin in the county of Dublin with Leigh Sadleir Stoney a Lieutenant-Colonel (retired) in the 4th Battalion Royal Irish Fusiliers her now husband and to enable her to marry again and for other purposes. (*Stoney's Divorce.*)

ROYAL ASSENT, 15th August 1919.

An Act to dissolve the marriage of Maurice Boland with Annie Boland his now wife and to enable him to marry again and for other purposes. (*Boland's Divorce.*)

TABLE IIA.

A TABLE OF

The TITLES of the LOCAL and PRIVATE ACTS (including the PUBLIC ACTS of a Local Character) passed during the Session.

9 & 10 GEORGE 5.—A.D. 1919.

ARRANGED ALPHABETICALLY.

Ammanford Gas. c. ciii.
Arbroath Harbour Order Confirmation. c. cvii.
Ardrossan Harbour Order Confirmation. c. xciii.

Bankers Guarantee Trust (Transfer to Alliance Assurance). c. xvi.
Beccles Waterworks. c. xxv.
Bedwellty Urban District Council. c. lxiv.
Belfast Harbour. c. ix.
Birmingham Corporation. c. lxv.
Birmingham Corporation Tramways. c. l.
Blackpool Improvement. c. li.
Blyth Harbour. c. xi.
Board of Education Scheme (Crossley and Porter Orphan Home and School) Confirmation. c. xvii.
Boland's Divorce.
Bournemouth Gas and Water. c. xlviii.
Brentford Gas. c. v.
Bridge of Allan Water Order Confirmation. c. xxxi.
Bristol Corporation. c. xii.
Brooke Robinson Museum Charity Scheme Confirmation. c. lxxxv.

Cannock Urban District Council. c. cxvii.
Cavendish Clarke Divorce.
Chepstow Water. c. xxx.
City and South London Railway. c. ci.
City of Cardiff Police and Fire Brigade Pension Funds Provisional Order. *See* Provisional Order (City of Cardiff Police and Fire Brigade Pension Funds) Confirmation.
City of London Police. c. lxxiii.
Clowes Settled Estate. c. *1.*
Clyde Navigation Order Confirmation. c. xcviii.
Clyde Valley Electrical Power Order Confirmation. c. xcvii.
Commons Regulation (Coity Wallia) Provisional Order Confirmation. c. lxx.
Congregational Chapels Scheme Confirmation. c. lxxxvi.

D. H. Evans & Co. Limited. c. vii.
Dover Gas. c. lxii.
Dover Harbour. c. x.
Dublin Port and Docks. c. xiii.
Dundee Harbour and Tay Ferries Order Confirmation. c. xci.

East Ham Corporation. c. lii.
Eatington Wesleyan Methodist Chapel Property Charity Scheme Confirmation. c. lxxxvii.
Edinburgh Corporation Order Confirmation. c. v.
Edinburgh and Leith Corporations Gas Order Confirmation. c. xxxii.
Electric Lighting Order Confirmation. c. lxxii.

Falmouth Docks. c. xxxvii.
Fraserburgh Harbour (New Works) Order Confirmation. c. cvi.
Fraserburgh Harbour (Rates) Order Confirmation. c. xciv.
Fylde Water Board. c. xxxv.

Gas and Water Orders Confirmation. c. lxxiv.
Glasgow Corporation Order Confirmation. c. xcvi.
Glasgow Water Order Confirmation. c. cxiii.
Glasgow and South Western Railway (Ayr Harbour Transfer) Order Confirmation. c. i.
Gosport and Alverstoke Urban District Council. c. cxxii.

Granton Harbour Order Confirmation. c. civ.
Greenock Improvement Order Confirmation. c. cxii.
Greenock Port and Harbours Order Confirmation. c. xcii.

Hartlepool Corporation. c. xxi.
Hartlepool Gas and Water. c. xxiv.
Headcorn Baptist Chapel Charity Scheme Confirmation. c. lxxxix.
Huddersfield Corporation. c. lxi.

Leeds Corporation. c. liii.
Legal and General Assurance Society's. c. xx.
Leicester Corporation. c. cii.
Leith Harbour and Docks Order Confirmation. c. ii.
Llanelly Rural District Water. c. xxxvi.
Local Government Board's Provisional Orders Confirmation:—

(No. 1). c. lxxv.	(No. 5). c. lxxix.
(No. 2). c. lxxvi.	(No. 6). c. lxxx.
(No. 3). c. lxxvii.	(No. 7). c. lxxxi.
(No. 4). c. lxxviii.	

Local Government Board (Ireland) Provisional Orders Confirmation. c. lxxxii.
London County Council (General Powers). c. xxxiii.
London County Council (Money). c. xlv.
London Electric Railway. c. liv.
Londonderry Port and Harbour. c. lxviii.

Manchester Corporation. c. cxix.
Manchester Ship Canal. c. xlvi.
Mansfield Railway. c. xxii.
Medway Conservancy. c. xxxviii.
Mersey Docks and Harbour Board. c. xiv.
Middlesbrough Corporation. c. lviii.
Milford Docks. c. lxvi.
Military Knights of Windsor. c. cxv.
Ministry of Health Provisional Orders Confirmation (No. 1). c. cxiv.

National Trust Charity Scheme Confirmation. c. lxxxiv.
Newark Gas. c. xxxix.
Newcastle-upon-Tyne Corporation (Rates). c. lxix.

Newport Harbour. c. xv.
North British Railway Order Confirmation. c. iii.
Northampton Gas. c. xix.
Nuneaton Corporation. c. xliii.

Pallin's Divorce.
Pembroke District Gas. c. lxiii.
Peterhead Harbours Order Confirmation. c. xcv.
Pier and Harbour Orders Confirmation. c. lxxi.
Plumptre Hospital Charity Scheme Confirmation. c. lxxxviii.
Poole Corporation. c. xliv.
Provisional Order (City of Cardiff Police and Fire Brigade Pension Funds) Confirmation. c. cxi.

Reigate Corporation. c. xxiii.
Rotherham Corporation. c. xlvii.

Saint George's Church Oxford. c. viii.
St. Just (Falmouth) Ocean Wharves and Railways. c. cxx.
Scottish Amicable Life Assurance Society's Order Confirmation. c. cx.
Scottish Widows' Fund and Life Assurance Society's Order Confirmation. c. xcix.
Sheffield Corporation. c. xlix.
Sheringham Gas and Water. c. xxxiv.
Shoreham-by-Sea Urban District Council. c. lv.
Shropshire Worcestershire and Staffordshire Electric Power. c. cxxi.
South Shields Gas. c. vi.
Standard Life Assurance Company Order Confirmation. c. iv.
Stocksbridge Gas. c. xli.
Stockton-on-Tees Corporation. c. xl.
Stoney's Divorce.
Stourport Gas. c. xxvii.
Stretford Urban District Council. c. lxvii.
Sunderland Gas. c. xxviii.
Swansea Harbour. c. xviii.
Swinton and Mexborough Gas Board. c. cxvi.

Tees Conservancy. c. xxvi.
Tramways Orders Confirmation. c. xc.

Tyne Improvement. c. lx.
Tynemouth Corporation. c. lvi.

Victoria Infirmary of Glasgow Act 1888 (Amendment) Order Confirmation. c. c.

Walsall Corporation. c. cxviii.
Water Order Confirmation. c. cix.
Waterford Harbour. c. xlii.
Wear Navigation and Sunderland Dock. c. xxix.
Wells Particular Baptist and Congregational Chapels Charities Scheme Confirmation. c. lxxxiii.
West Hartlepool Corporation. c. lvii.
Wick Harbour Order Confirmation. c. cviii.
Workington Corporation. c. lix.

TABLE III.

Showing the Effect of the Year's Legislation.

ACTS OF FORMER SESSIONS (IN CHRONOLOGICAL ORDER) REPEALED OR AMENDED BY ACTS OF 9 & 10 GEO. 5.*

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 9 & 10 Geo. 5.
10 Geo. 4. c. 44 -	Metropolitan Police - -	S. 23 rep. in part - - -	46, s. 7.
6 & 7 Will. 4 c. 116	Grand Jury (I.) - - -	Ss. 106, 135–140 ext. - -	14, s. 1.
1 & 2 Vict. c. 106	Pluralities - - - -	Ss. 16–20 rep. [*but see Terms*]	98, s. 16.
3 & 4 Vict. c. 108	Municipal Corporations (I.) -	Ss. 61, 62 rep. - - -	19, s. 11, Sch.
8 & 9 Vict.:			
c. 18	Lands Clauses (Consolidation).	Ss. 84–90 restr. - - -	35, s. 10.
		Restricted - - - -	59, s. 12 (3).
		S. 91 incorporated - -	82, s. 1 (5)
c. 19	Lands Clauses Consolidation (S.).	Ss. 84–90 restr. - - -	59, s. 2.
		Ss. 83–88 restr. - - -	60, s. 9.
		Ss. 83–87 restr. - - -	97, s. 3 (3).
c. 83	Poor Law (S.) - - -	S. 4 rep., so far as not already rep.	20, s. 9, Sch. II.
10 & 11 Vict. c. 21	Parliamentary Elections (Soldiers).	Repealed as from 10 Dec., 1918.	10, s. 1.
11 & 12 Vict. c. 69	Malicious Injuries (I.) - -	Extended - - - -	14, s. 1.
14 & 15 Vict. c. 57	Civil Bill Courts (I.) - -	S. 18 virt. am. - - -	4, s. 1.
16 & 17 Vict. c. 38	Malicious Injuries (I). - -	Extended - - - -	14, s. 1.
17 & 18 Vict.:			
c. 31	Railway and Canal Traffic -	S. 2 ext. - - - -	50, s. 13 (4) (*a*).
c. 80	Births, Deaths, and Marriages (S.).	Amended - - - -	20, s. 4 (1) (*g*).
c. 103	Towns Improvement (I.) -	S. 23 rep.; s. 24 rep. so far as respects rotation of Commissioners.	19, s. 11, Sch.
18 & 19 Vict.:			
c. 23	Intestate Moveable Succession (S.).	S. 4 rep. - - - -	61, s. 3.
c. 67	Summary Procedure on Bills of Exchange.	Rep. as to County Courts [*but see Terms*].	73, s. 27 (3), Sch.
c. 68	Burial Grounds (S.) - -	Amended - - - -	24 s. 4 (1) (*e*).

* Acts continued annually by the Expiring Laws Continuance Act—also amendments made in numerous enactments by the transfer of powers to the Ministries of Health and Transport, and other Departments—are not noticed in this Table. For references to these see the "Chronological Table of all the Statutes and Index to the Statutes in Force."

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 9 & 10 Geo. 5.
20 & 21 Vict. :			
c. 71	Lunacy (S.)	S. 61 rep. in part	85, s. 2.
c. 77	Court of Probate	Ss. 81—83 amended	26, s. 1, Sch.
22 Vict. c. 26	Superannuation	Ss. 10, 11 am. as applied to prison officers.	67, s. 1 (1) (*a*).
22 & 23 Vict. c. 32	County and Borough Police	S. 4 amended	84, s. 1.
23 & 24 Vict. c. 142	Union of Benefices	Ss. 10, 11, 13–15, 17, 21, 22, 26–28 incorporated with mods. ; ss. 20, 23, 25, 29, 30 incorporated.	98, s. 17, Sch.
26 & 27 Vict. c. 108	Vaccination (S.)	Amended	20, s. 4 (1) (*g*).
28 & 29 Vict. c. 50	Dogs Regulation (I.)	Ss. 6, 20, Sch. (A.) am.	81, ss. 1, 2.
30 & 31 Vict. c. 102	Representation of the People	S. 52 virt. am.	2, s. 1 (2).
31 & 32 Vict. :			
c. 37	Documentary Evidence	Applied with mods.	20. s. 7 (4).
		Applied with mods., Sch. am.	58, s. 2 (5).
c. 48	Representation of the People (S.).	S. 51 virt. am.	2, s. 1 (2).
c. 49	Representation of the People (I.).	S. 11 virt. am.	2, s. 1 (2).
c. 71	County Courts, Admiralty Jurisdiction.	S. 21 rep. [*but see Terms*]	73, ss. 13, 27 (3), Sch.
33 & 34 Vict. c. 77	Juries	S. 5 rep. in part	71, s. 4 (2), Sch.
34 & 25 Vict. :			
c. 65	Juries (I.).	S. 3 rep. in part	71, s. 4 (2), Sch.
c. 70	Local Government Board	Ss. 3—6 rep.	21, s. 11, Sch. II.
c. 90	Union of Benefices	Applied ; s. 4 incorporated	98, ss. 9, 17, Sch.
35 & 36 Vict. c. 33	Ballot	Applied	46, s. 1, Sch. (Part I. (15), Part II.).
38 & 39 Vict. :			
c. 55	Public Health	Ss. 327, 332 restr.	35, s. 14.
		S. 279 ext.	99, s. 6 (4).
c. 86	Conspiracy and Protection of Property.	S. 4 ext. to electricity	100, s. 31.
39 & 40 Vict. c. 75	Rivers Pollution Prevention	Amended	20, s. 4 (1) (*f*).
40 & 41 Vict. c. 2	Treasury Bills	S. 6 restricted	5, s. 3 (2). 49, s. 3 (2). 88, s. 2 (2).
41 & 42 Vict. :			
c. 43	Marriage Notice (S.)	Amended	20, s. 4 (1) (*g*).
c. 69	Petty Sessions Clerks and Fines (I.).	S. 10, Sch. virt. am.	4, s. 1.
43 & 44 Vict. c. 20	Inland Revenue	S. 33 (3) rep. as from 1 Oct. 1919.	32, s. 38, Sch. IV.
44 & 45 Vict. :			
c. 12	Customs and Inland Revenue	S. 15 (2) rep. as from 1 Oct. 1919.	32, s. 38, Sch IV.
c. 18	Petty Sessions Clerks (I.)	Ss. 1, 5 virt. am.	81, s. 4.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 9 & 10 Geo. 5.
44 & 45 Vict. c. 58	Army	Ss. 42, 46, 114, 115, 131, 153, 156, 163, 175, 179A, 180, 190 am.	11, ss. 4–18.
45 & 46 Vict.: c. 9	Documentary Evidence	Applied with mods.	58, s. 2 (5).
c. 38	Settled Land	Amended	35, s. 31. 45, s. 26. 59, s. 29.
c. 50	Municipal Corporations	S. 197 rep. in part	46, s. 7.
c. 56	Electric Lighting	S. 26 am.; s. 4 (1–4) restr.; ss. 7, 8 appl.	100, ss. 25, 26, 32 (2).
47 & 48 Vict.: c. 18	Settled Land	Amended	35, s. 31. 45, s. 26. 59, s. 29.
c. 70	Municipal Elections (Corrupt and Illegal Practices).	S. 5 (1) am.	13, s. 1.
49 & 50 Vict.: c. 18	Customs and Inland Revenue	S. 3 rep. as from 1 Oct. 1919	32, s. 38, Sch. IV.
c. 29	Crofters' Holdings (S.)	S. 16 amended	97, s. 13.
50 & 51 Vict. c. 67	Superannuation	S. 6 restr.	40, s. 1 (1).
51 & 52 Vict.: c. 12	Electric Lighting	Ss. 2, 3 restr.	100, s. 12 (2).
c. 25	Railway and Canal Traffic	Applied Parts I. and IV. (except the ss. relating to appeals), applied.	50, s. 19. 100, s. 22 (2) (*c*) (i).
c. 41	Local Government	S. 69 (5) am. S. 24 (2) am. S. 120 appl. with mods.	35, ss. 8 (1), 18 (4). 46, s. 8. 50, s. 7 (1) (viii).
c. 43	County Courts	S. 8 am.; s. 24 rep. [*but see Terms*]. Am.; ss. 65, 66, 86 (prosp.), 98, 99, 116, 150, 153 rep.; ss. 90, 92 rep. in part; ss. 105, 164, 183 am.; s. 85 appl.; ss. 31, 101, 102 appl. with mods.; s. 151 ext. to "orders."	70, ss. 2 (4), 5 (1). Sch. 73, ss. 1, 2, 8, 10 (2), 11, 18–20, 22–24, 27 (3), Sch.
c. 65	Solicitors	Am.; ss. 13–15 rep. [*but see Terms*].	56, s. 11.
52 & 53 Vict.: c. 30	Board of Agriculture	S. 1 repealed	91, s. 1 (4).
c. 33	Windward Islands Appeal Court.	Repealed	47, s. 8 (1).
c. 49	Arbitration	Restricted	69, s. 3 (3).
c. 50	Local Government (S.)	S. 55 amended S. 67 am.	20, s. 4 (1) (*f*). 60, ss. 6 (1), 15 (4).
53 & 54 Vict.: c. 45	Police	Sch. I. am.	46, s. 6.
c. 55	Elections (S.) (Corrupt and Illegal Practices).	S. 9 (1) amended	13, s. 1.
c. 69	Settled Land	Amended	35, s. 31. 45, s. 26. 59, s. 29.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 9 & 10 Geo. 5.
53 & 54 Vict.:			
c. 70	Housing of the Working Classes.	Am.: ss. 5 (2), 6 (3), 7, 8 (5), 11, 12 (1) (6), 16 (1), 31 (1) (2), 38 (2), 45 (1), 57 (3), 81, Sch. I., Sch. II. (1) (4) (6)—(10) (12) (14) (29) (30) (32) am.; s. 14, Sch. II. (22) (26) (27) rep.	35, ss. 33, 39, Sch. II.
		Am.; ss. 5 (2), 6 (3), 7, 8 (5), 12 (1), 12 (6), 16 (1), 31 (1) (2), 38 (2), 93, Sch. II. (1) (9) (10) (12) (29) (30) (32) am.; s. 14, Sch. II. (26) (27) rep.; Part III. applied and ext.; ss. 21, 41 restr.; s. 67 (1) ext.	45, ss. 1, 6 (2), 8, 16, 31, Sch. III.
		Am; ss. 6 (3), 7, 8 (5), 12 (1), 12 (6), 16 (1), 81, Sch. II. (1) (4) (6)—(10) (12) (14) (29) (30) (32) am. as to S.; s. 67 (1) ext.; ss. 14, 57 (2), 60, 64, Sch. II. (22) (26) (27) rep.	60, ss. 17 (1), 30, 51, Schs. II., IV.
54 & 55 Vict.:			
c. 22	Museums and Gymnasiums -	S. 4 rep as to museums in E. & W. [*but see Terms*].	93, s. 9.
c. 39	Stamp Duty - - - -	S. 115 appl. with mods. -	99, s. 7, Sch. III.
c. 40	Brine Pumping (Compensation for Subsidence).	S. 50 restr. - - - -	35, s. 36.
55 & 56 Vict.:			
c. 40	Superannuation - - -	S. 2 restr. - - - - -	40, s. 1 (1).
c. 53	Public Libraries - - -	Ss. 2, 21 (4) rep.: s. 3 rep. in part; s. 11 rep. in part [*but see Terms*].	93, ss. 4, 8, 11, Sch.
c. 54	Allotments (S.) - - -	Am.; ss. 2, 3, 12, 14, 16 am.; ss. 3 (2)-(4), 4, 7 (2), 10, 11 proviso to (2), (3), 13 rep.	97, ss. 18 (1), 23, 32, Schs. III., IV.
c. 55	Burgh Police (S.) - -	S. 340 amended - - -	46, s. 13 (2).
		S. 11 amended - - -	60, s. 47.
56 & 57 Vict.:			
c. 5	Regimental Debts - -	S. 21 amended - - -	89, s. 1.
c. 11	Public Libraries (Amendment).	S. 3 rep.; s. 2 rep. in part -	93, ss. 7, 8, 11, Sch.
	Industrial and Provident Societies.	S. 4 restr. - - - -	35, s. 18 (2). 60, s. 15 (2).
c. 53	Trustee - - - -	S. 1 amended - - -	99, s. 9.
c. 66	Rules Publication - - -	S. 1 restricted - - -	33, s. 1 (2). 68, s. 4 (3).
c. 73	Local Government - -	S. 22 rep. in part - -	71, s. 4 (2), Sch.
57 & 58 Vict.:			
c. 54	Railway and Canal Traffic -	S. 2 restricted - - -	50, s. 19 (*c*).
c. 58	Local Government (S.) - -	. 4-6 rep. - - -	20, s. 9, Sch. II.
		S. 40 rep. in part - - -	71, s. 4 (2), Sch.
		Part IV. (except s. 25) appl.; s. 24 (4) rep. in part.	97, ss. 18 (1), 32, Sch. IV.
c. 60	Merchant Shipping - -	S. 515 ext. (as regards I.) -	14, s. 1.
59 & 60 Vict. c. 28	Finance - - - -	S. 18 am. - - - -	32, s. 30.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 9 & 10 Geo. 5.
60 & 61 Vict. :			
c. 38	Public Health (S.)	Ss. 40, 125, 181 am.; ss. 183–187 applied.	60, ss. 40 (1), 45 (2) (5), 51, Sch. IV.
c. 53	Congested Districts (S.)	S. 5 (2) appl. with mods.	97, s. 5 (2).
61 & 62 Vict. :			
c. 34	Rivers Pollution Prevention (Border Councils).	Amended	20, s. 4 (1) (*f*).
c. 37	Local Government (I.)	S. 80 (1) am.; s. 5 ext.	14, s. 1 (4) (5).
		Ss. 2 (3) (4), 21 (2) (*a*), 23 (1) (3) (*b*) (*c*) rep. in part; s. 24 (*c*) (*d*) rep.	19, s. 11, Sch.
		S. 26 rep. in part	71, s. 4 (2), Sch.
c. 57	Elementary School Teachers (Superannuation).	Repealed as to S. [*but see Terms*]	17, s. 10, Sch.
62 & 63 Vict. :			
c. 9	Finance	S. 8 restr.	99, s. 7, Sch. (2).
c. 19	Electric Lighting Clauses	Sch. incorporated with mods.; ss. 15, 16, 19, 20, 77 appl.	100, ss. 12 (2), 22 (2) (*a–d*) (*f*) (*g*) (4).
c. 44	Small Dwellings Acquisition	S. 1 (1) am.	35, s. 49.
		S. 1 (1) (2) am.	45, s. 34.
		S 1 (1) amended	60, s. 39.
63 & 64 Vict. :			
c. 7	Finance	S. 14 am.	32, s. 31.
c. 59	Housing of Working Classes	S. 5 repealed	60, s. 51, Sch. IV.
1 Edw. 7 :			
c. 19	Public Libraries	S. 10 repealed	93, s. 11, Sch.
c. 22	Factory and Workshop	Ss. 80, 81, 84, 86 applied	51, s. 5 (1).
		Ss. 80, 81 appl.	100, s. 35 (2).
3 Edw. 7 :			
c. 35	Isle of Man (Customs)	Ss. 1, 2, Schs. I., II. rep.	74, s. 6 (2), Sch. III.
c. 37	Irish Land	S. 93 amended	55, s. 1.
c. 39	Housing of the Working Classes.	S. 4 (2) amended	35, s. 39, Sch. II.
		S. 5 (1) repealed	60, s. 51, Sch. IV.
c. 42	County Courts	S. 4 repealed	73, s. 27 (3), Sch.
4 Edw. 7. :			
c. 5	Army	S. 14 restricted	11, ss. 10 (2), 18 (2).
c. 28	Weights and Measures	Ss. 5, 6 am. and ext.	29, s. 1
5 Edw. 7 :			
c. 13	Aliens	Repealed [*but see Terms*]	92, s. 16 (2).
c. 15	Trade Marks	Am.; ss. 9 (5), 12–14, 16, 21–24, 33, 34, 41, 43, 62, 64 am.; ss. 14 (10), 64 (10) (*a*) rep.	79, ss. 7, 8, 11, 12, Sch. II. [*See also* s. 8, Sch. I.]
6 Edw. 7. c. 14 :	Alkali, &c., Works Regulation	Amended	20, s. 4 (1) (*d*).
7 Edw. 7 :			
c. 13	Finance	S. 10 restr.	99, s. 7, Sch. (2).
c. 29	Patents and Designs	S. 53 rest.	62, s. 2.
		Am.; ss. 5–8, 11 (1), 12, 13, 15, 16, 17 (1), 18–27, 29, 31, 34–36, 38, 41 (2), 45 (1), 49 (3) 50, 58, 68, 71, 75, 77, 84, 91–94 am.; s. 39 rep.	80, ss. 1–20, Sch.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 9 & 10 Geo. 5.
7 Edw. 7. :			
c. 33	Qualification of Women (County and Borough Councils).	Proviso to s. 1 (1) rep. - -	71, s. 4 (2), Sch.
c. 48	Qualification of Women (County and Town Councils) (S.).	S. 1 (1) rep. in part - -	71, s. 4 (2), Sch.
c. 53	Public Health Acts Amendment.	S. 27 restr. - - - -	35, s. 25 (4). 45, s. 21 (4).
8 Edw. 7 :			
c. 4	Patents and Designs - -	Repealed - - - -	80, s. 21 (4).
c. 9	Isle of Man (Customs) - -	S. 2, Sch. rep. - - -	74, s. 6 (2), Sch. III.
c. 36	Small Holdings and Allotments.	Am. ; ss. 9, 11 (5), 23, 24, 27, 34, 41–43, 46, 47, 49, 53, 58, Sch. I. (Part II.) am. ; ss. 4 (3), 6 (4), 7 (3), 8, 9 (1) (3), 11 (3), 16, 21, 23 (3), 27 (2), 31, 32 (3), 41 (3) rep.	59, ss. 10 (2), 11 (5) (6), 16, 25 26 (5), 33, Schs. II., III.
c. 40	Old Age Pensions - - -	Am. ; ss. 2 (2) (3), 3 (1) (*a*) am. ; ss. 1 (2), 3 (1) (*b*), 5 (2), Sch. rep. ; s. 3 (2) rep. in part.	102, ss. 1, 2 (1), 3, 10, Sch. II.
c. 57	Coal Mines Regulation - -	S. 1 (1) (2) (7) (*a*) amended.	48, s. 1.
c. 61	Housing of Working Classes (I.)	S. 14 restricted - - -	45, s. 5 (2).
c. 63	Education (S.) - - -	S. 14 rep., so far as not already rep. ; s. 16 (1) (*e*) rep. in part [*but see Terms*]	17, s. 10, Sch.
9 Edw. 7 :			
c. 10	Superannuation - - -	S. 1 am., as applied to prison officers.	67, s. 1 (1) (*b*).
c. 34	Electric Lighting - -	S. 1 ext. - - - - -	100, s. 15 (3).
c. 42	Irish Land - - - -	S. 58 restricted ; s. 29 ext. -	82, ss. 1 (3), 3 (3).
c. 44	Housing, Town Planning, &c.	Am. ; ss. 17 (3) (4) (7), 18 (3) (4), 39 (1), 54–56, 58, 59, 65, 69 (1), Schs. IV., V. am. ; s. 54 (3), Sch. I. (7) rep. ; s. 3, Sch. I. (6) restr.	35, ss. 7 (4), 11 (1), 39, 42–45, 48, Schs. II., III.
		Am. ; Sch. I. (6) restr. : ss. 17 (3) (4) (5), 18 (3) (4), 53 (1), 54, 56, Sch. I. (14), Sch. IV. (18), Sch. V. (1) am. as to S. ; ss. 4 (2), 6, 32, 72, provisoes to ss. 54 (4) and 55 (2), Sch. I. (7) rep.	60, ss. 5 (2), 10 (2), 30, 34, 38, 51, Schs. II.–IV.
c. 47	Development and Road Improvement Funds.	S. 1 (1) restr. - - -	58, s. 3 (4).
10 Edw. 7. c. 8 -	Finance - - - - -	S. 84 (2), so far as it relates to excise duty on motor spirit and on licences taken out by manufacturers of motor spirit, s. 84 (3) (5), s. 84 (6), so far as it relates to manufacture of motor spirit, rep. ; Sch. I. rep. in part as from 1 Oct. 1919.	32, s. 38, Sch IV.
1 & 2 Geo. 5. :			
c. 4.	Aerial Navigation - -	Applied temp. - - -	3, s. 1 (2).
c. 10.	Intestate Husband's Estate (S.).	S. 5 repealed - - -	9, s. 5.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 9 & 10 Geo. 5.
1 & 2 Geo. 5.:			
c. 16	Old Age Pensions	Ss. 2, 3 (2) am.; s. 3 (1) rep. in part; s. 4 rep.	102, ss. 2 (2) (3), 3 (3), 4, Sch. II.
c. 19	Labourers (I.)	S. 6 applied	45, s. 12.
c. 28	Official Secrets	S. 2 restricted	1, s. 4.
c. 35	Local Authorities (I.) (Qualification of Women).	Proviso to s. 1 (1) rep.	71, s. 4 (2), Sch.
c. 49	Small Landholders (S.)	Ss. 7, 16 (1), 17, 21, 24 (3) (5), 35 am.; s. 26 (3) (*c*) (4) restr.; ss. 4 (6), 7 (2-5) rep.	97, ss. 9, 11-18, Schs. II., IV.
c. 55	National Insurance	Ss. 57 (1)—(4), 58 rep. as to S.; s. 16 (2) rep. in part as to S.; s. 80 (1) rep. in part.	20, s. 9, Sch. II.
		Ss. 57 (1)—(4), s. 58 rep., and s. 16 (2) rep. in part, except so far as those ss. are applied to Scottish and Irish Insurance Commissioners: s. 82 (1) rep.; ss. 81 (1), 83 (1) rep. in part.	21, s. 11, Sch. II.
		Sch. (Part II) (*g*) am.	36, s. 1 (1).
		First and last paragraphs of Sch. VII. am.	77, s. 1.
2 & 3 Geo. 5. c. 12	Elementary School Teachers (Superannuation).	Rep. as to S. [*but see Terms*]	17, s. 10, Sch.
3 & 4 Geo. 5:			
c. 10	Government of Soudan Loan	Repealed	43, s. 2 (2).
c. 26	Highlands and Islands (Medical Service) Grant.	Amended	20, s. 4 (1) (*h*).
c. 28	Mental Deficiency	Proviso to s. 47 rep.	85, s. 1.
c. 38	Mental Deficiency and Lunacy (S.).	Proviso to s. 37 rep.	85, s. 1.
4 & 5 Geo. 5:			
c. 9	Government of Soudan Loan	Repealed	43, s. 2 (2).
c. 10	Finance	Sch. I. am. [*but see Terms*]	32, s. 29, Sch. III.
c. 12	Aliens Restriction	Cont. and ext.; s. 1 (1) am.	92, ss. 1, 2.
c. 21	County and Borough Councils (Qualification).	Proviso to s. 1 (1) rep.	71, s. 4 (2), Sch.
c. 34	Police Reservists (Allowances)	S. 1 amended	46, s. 5.
c. 37	Anglo-Persian Oil Company (Acquisition of Capital).	S. 1 amended	86, ss. 1-3.
c. 39	County, Town and Parish Councils (Qualification) (S.).	Proviso to s. 1 (1) rep.	71, s. 4 (2), Sch.
c. 57	National Insurance	Ss. 13, 14 amended	77, ss. 2, 3.
c. 80	Police Constables (Naval and Military Service).	S. 1 amended	46, s. 5.
c. 84	Irish Police Constables Naval and Military Service).	S. 1 amended	68, s. 5.
c. 88	Suspensory	S. 1 am.	65, s. 2.
c. 91	Welsh Church	Am.; ss. 1, 6, 8 (1), 18, Sch. III. (Parts I., III.) am.; s. 23 rep.	65, ss. 2, 3 (1), 4 (3), 5, 6.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 9 & 10 Geo. 5.
5 & 6 Geo. 5 :			
c. 7	Finance - - - -	S. 14 (2) (3) appl. - -	37, s. 1 (4).
c. 11	Government War Obligations	S. 1, Sch. ext. - - -	44, s. 1 (1) (2).
c. 23	Army (Suspension of Sentences).	Temp. extended - - -	15, s. 2 (3).
c. 32	Irish Police (Naval and Military Service).	S. 1 (2) amended - - -	68, s. 6.
c. 43	Army (Transfers) - -	S. 1 virt. am. - - -	15, s. 2 (1).
c. 54	Munitions of War - -	Cont. ; s. 4 (3), Sch II. (1) (2) rep.	42, ss. 3 (1), 6 (2).
c. 55	War Loan - - - -	S. 1 (4) appl. ; s. 1 (5) am.	37, s. 1 (4).
c. 61	Government of India - -	Am. ; ss. 2 (2) (3), 3 (1) (3) (4) (8), 5, 6, 8, 10, 19, 20 (2) (*d*), 21, 27 (9), 29 (1), 30, 31, 33, 36, 37, 39 (2), 40, 42 45, 46 (2) (3), 47 (2) (3), 48-53 (1), 55 (1) (*b*), 57, 58, 63-65, 67-69, 71 (2), 72, 73 (1) (3), 76, 78, 80-82, 84-87, 89, 90 (1) (3) (4), 91 (1), 92, 93 (1), 95, 97, 110 (1), 115, 118, 124 (4), 131, 134 (4), 135, Schs. II., III., V. am. ; ss. 16, 35, 37 (2), 45 (2), 54 (3). 67 (1) (3), 70, 73, (2) (4), 74, 75, 79, 80 (2), 83, 88 rep.	101, ss. 3 (2), 5 (1), 11 (1), 24 (1), 27 (1), 28 (1) (2), 31, 32, 37 (1), 42, 45, Sch. II.
c. 72	Special Acts (Extension of Time).	S. 2 (3) am. - - - -	50, s. 16.
c. 83	Naval and Military War Pensions, &c.	Ext. to nurses - - -	53, s. 9.
c. 87	Indian Civil Service (Temporary Provisions).	S. 1 amended - - -	101, s. 37 (2).
c. 89	Finance (No. 2) - - -	Ss. 1, 8, 10 (1), 11, 12, cont. ; s. 10 (2) rep. ; s. 15 rep. in part ; ss. 38, 43 am.	32, ss. 1, 2, 13, 32, 33, 38, Sch. IV.
c. 91	Midwives (S.) - - -	Amended - - -	20, s. 4 (1) (*c*).
c. 97	Increase of Rent and Mortgage Interest (War Restrictions).	Am., ext., and prolonged ; ss. 1, 2 am.	7, ss. 1-10.
		Restricted - - -	35, s. 35. 60, s. 29.
		Am. ; s. 1 (3) rep. - -	90, ss. 1, 2, Sch.
c. 99	Munitions of War (Amendment).	Continued - - - -	42, s. 3 (1).
c. 103	Army (Suspension of Sentences).	Temp. extended - - -	15, s. 2 (3).
6 & 7 Geo. 5 :			
c. 11	Finance - - - -	S. 1 amended - - -	32, s. 7.
c. 12	Local Government (Emergency Provisions).	S. 20 cont., with mods. - -	50, s. 12.
c. 15	Military Service - - -	Ss. 14-16 cont. till 30 April, 1920.	15, s. 2 (2).
c. 24	Finance - - - -	Ss. 15, 16 repealed ; s. 43 am.	32, ss. 12 (2), 20, 38, Sch. IV.
c. 27	I. of Man (Customs) - -	Ss. 1-3, 4 (2) cont., s. 5, Sch. rep.	74, ss. 1 (1), 6 (2), Sch. III.
c. 37	Government of India (Amendment).	Ss. 8 (3), rep. - - -	101, s. 45 (2).
c. 38	Small Holding Colonies -	Ss. 1 (5), 4 applied with mods. ; s. 1 rep. in part.	59, ss. 4 (2), 6, 33, Sch. III.
		S. 2 applied with mods. -	82, s. 5. (1).
		S. 1 rep. in part as to S. ; ss. 1 (4), 3 applied ; s. 1 (5) appl. with mods. ; s. 11 rep.	97, ss. 1 (2), 2, 5 (2), 32, Sch. IV.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 9 & 10 Geo. 5.
6 & 7 Geo. 5 :			
c. 59	Constabulary and Police (I).	S. 2 (4) amended - -	68, s. 7.
c. 60	Sailors and Soldiers (Gifts for Land Settlement).	S. 1 (1) amended - - -	82, s. 6.
c. 63	Defence of the Realm (Acquisition of Land).	S. 1 explained - - -	59, s. 30 (1). 97, s. 30 (1).
c. 68	New Ministries and Secretaries.	Ss. 11 (2)-(4), 12 applied - Ss. 11 (2)-(4), 12 (2) (3) applied	21, s. 7 (5). 50, s. 26 (5).
c. 69	Public Authorities and Bodies (Loans).	S. 1 (2) rep. in part - -	99, s. 8.
7 & 8 Geo. 5 :			
c. 14	Naval and Military War Pensions, &c.	Ext. to nurses - - -	53, s. 9.
c. 25	Courts (Emergency Powers)	S. 1 ext., am., and prolonged	64, s. 1.
c. 31	Finance - - - - -	Ss. 3, 23 am. - - - -	32, ss. 7, 34
		S. 34 (3) restr. - - -	37, s. 3 (1).
c. 35	Isle of Man (Customs) -	S. 3 cont. - - - - -	74, s. 1 (2).
c. 42	Workmen's Compensation (War Addition).	S. 1 amended - - -	83, ss. 1, 2.
c. 56	Coal Mines Control Agreement (Confirmation).	S. 4 restricted - - -	1, s. 4.
		Repealed - - - -	90, s. 2, Sch.
8 & 9 Geo. 5 :			
c. 7	Increase of Rent, &c. - -	Repealed - - - - -	90, s. 2, Sch.
c. 15	Finance - - - - -	S. 2 rep. so far as it relates to motor spirit ; s. 11 am.	32, ss. 7, 38, Sch. IV.
		Ss. 38 (2), 41 am. - - -	37, ss. 4 (2), 5.
c. 16	Solicitors (Articled Clerks) -	S. 1 extended - - -	27, s. 1.
c. 26	Small Holding, Colonies (Amendment).	S. 1 rep. in part - - -	59, ss. 5 (2), 33, Sch. III. 97, ss. 1 (2), 32 Sch. IV.
c. 39	Education - - - - -	S. 34 (1) appl. with mods. -	93, s. 6.
c. 40	Income Tax - - - - -	Ss. 42-44, 50, 55 cont. ; ss. 8, 12, 13, 26, 47 (2), 55 am. ; ss. 28, 202 appl.	32, ss. 15, 20, 21, 23, 24, 26, 27.
c. 41	I. of Man (Customs) - -	S. 2, Sch. (Part I.) cont. -	74, s. 1 (3).
c. 54	Tithe - - - - - -	Restricted - - - -	65, s. 3 (3).
c. 57	War Pensions (Administrative Provisions).	S. 13 applied with mod. to I.	53, s. 6.
c. 61	Wages (Temporary Regulation).	Cont. till 21 Nov. 1919 ; s. 1 am.	18, s. 1.
		Ss. 3, 5 cont., and ss. 1, 2 (2), 4 cont. with mods. till 30 Sept. 1920.	69, s. 6 (1), Sch.
c. 64	Representation of the People	S. 29 (2) am. - - -	8, s. 1.
9 Geo. 5, c. 7 -	Increase of Rent and Mortgage Interest (Restrictions).	S. 5 (2) rep. - - - -	90, s. 2, Sch.
9 & 10 Geo. 5 :			
c. 32	Finance - - - - -	S. 8 (1) (2) app. with mods. -	74, s. 5 (2).
c. 35	Housing, Town Planning, &c.	Ss. 7, 19 am. ; s. 16 appl. with mods.	99, ss. 4, 13 (2), 14 (5).
c. 57	Acquisition of Land (Assessment of Compensation).	S. 11 (1) (par. *a*) rep. - -	97, s. 32, Sch. IV.
c. 66	Profiteering - - - -	Continued - - - -	87, s. 1.

TABLE IV.

A LIST

OF

THE LOCAL AND PRIVATE ACTS,

(9 & 10 GEO. 5. 1919.)

ARRANGED IN CLASSES.

CLASS I.—BRIDGES, FERRIES, ROADS, SUBWAYS AND TUNNELS.
- (1) Bridges.
- (2) Ferries.
- (3) Roads.
- (4) Subways and Tunnels.

" II.—RAILWAYS, TRAMROADS AND TRAMWAYS.
- (1) Railways.
- (2) Tramroads and Tramways.
- (3) Light Railways.

" III.—CANALS, RIVERS AND NAVIGATIONS.

" IV.—HARBOURS, DOCKS, PORTS, PIERS AND QUAYS.

" V.—LOCAL GOVERNMENT (INCLUDING JUDICIAL MATTERS, POOR LAW AND PUBLIC HEALTH).

" VI.—LIGHTING, POWER AND HEATING.
- (1) Gas.
- (2) Electricity.

" VII.—WATER SUPPLY.

" VIII.—DRAINAGES AND DRAINAGE EMBANKMENTS.

" IX.—INCLOSURES, OPEN SPACES, &C.
- (1) Inclosures and Allotments.
- (2) Open Spaces, Commons and Parks.

" X.—FISHERIES.

" XI.—CHARITABLE AND EDUCATIONAL, &C., FOUNDATIONS AND INSTITUTIONS.

CLASS XII.—ECCLESIASTICAL AFFAIRS (INCLUDING TITHES AND MARRIAGE CONFIRMATION).

„ XIII.—PERSONAL AND PRIVATE (INCLUDING ESTATES).

(1) Annuities and Grants of Money.
(2) Divorce.
(3) Estates.
(4) Names, Change of.
(5) Naturalization.
(6) Patents.
(7) Restoration of Dignities.
(8) Miscellaneous.

„ XIV.—TRADING AND OTHER COMPANIES.

(1) Banking and Investment.
(2) Cemetery.
(3) Insurance.
(4) Land and Building.
(5) Miscellaneous.

„ XV.—CROWN.

„ XVI.—PROVISIONAL ORDERS CONFIRMATION.

NOTE.—In this Table, words, printed in *italics*, following the Title, are added to explain the principal purposes of the Act; where none are added, and the Title itself conveys no explanation, the Act may be considered as one giving General Powers.

Class I.—Bridges, Ferries, Roads, Subways and Tunnels.

(1) *Bridges:*

Poole Corporation (*Acquisition of Poole Bridge, &c.*). c. xliv.
Shoreham-by-Sea Urban District Council (*New bridge over River Adur, &c.*). c. lv.

(2) *Ferries:*

Gosport and Alverstoke Urban District Council. c. cxxii., Part IV.
Hartlepool Corporation (*Acquisition of ferry, &c.*). c. xxi.
Stockton-on-Tees Corporation. c. xl.

[*For Act confirming Provisional Order under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (9).]

(3) *Roads:* Nil.

(4) *Subways and Tunnels:*

City and South London Railway (*New subways, &c.*). c. ci.
London Electric Railway (*New subway*). c. liv.

Class II.—Railways, Tramroads and Tramways.

(1) *Railways:*

City and South London (*New subways and works, &c.*). c. ci.
London Electric (*New subway, &c.*). c. liv.
Mansfield (*New railways and works. Additional capital, &c.*). c. xxii.

Class II.—Railways, Tramroads and Tramways—*continued.*

St. Just (Falmouth) Ocean Wharves and Railways (*Incorporation of company. New works, &c.*). c. cxx.

[*For Acts confirming Provisional Orders under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (9).]

(2) *Tramroads and Tramways:*

Birmingham Corporation Tramways. c. l.
Blackwood Improvement. c. li.
Leeds Corporation. c. liii., Part III.
Leicester Corporation (*Extension of time, &c.*). c. cii.
Middlesbrough Corporation. c. lviii., Parts II.–V.
Sheffield Corporation. c. xlix., Part IV.
Stockton-on-Tees Corporation. c. xl.
Tynemouth Corporation. c. lvi., Parts V., VI.
Walsall Corporation. c. cxviii., Part III.
West Hartlepool Corporation. c. lvii., Part III.

[*For Acts confirming Provisional Orders under Tramways Act*, 1870, *and under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (9) (10).]

(3) *Light Railways:*

Tynemouth Corporation. c. lvi., Parts V., VI.

Class III.—Canals, Rivers and Navigations.

Manchester Ship Canal (*Increase of rates*). c. xlvi.
Medway Conservancy (*Increase of tolls. Additional conservators, &c.*). c. xxxviii.
Tees Conservancy (*Increase of tolls, &c.*). c. xxvi.
Tyne Improvement (*Increase of tolls. Extension of time*). c. lx.

[*For Act confirming Provisional Order under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (9).]

Class IV.—Harbours, Docks, Ports, Piers and Quays.

Belfast Harbour (*Increase of tolls, &c.*). c. ix.
Blyth Harbour (*Increase of tolls, &c.*). c. xi.
Bristol Corporation (*Increase of tolls and dock dues*). c. xii.
Dover Harbour (*Increase of tolls, &c.*). c. x.
Dublin Port and Docks (*Increase of tolls, &c.*). c. xiii.
Falmouth Docks (*Additional works. Finance, &c.*). c. xxxvii.
Londonderry Port and Harbour (*Power to acquire lands, &c.*). c. lxviii.
Mersey Docks and Harbour Board (*increase of tolls. Extension of time for completion of works, &c.*). c. xiv.
Milford Docks (*Rates. Revival of powers, &c.*). c. lxvi.
Newport Harbour (*Removal of Wrecks, &c.*). c. xv.
Swansea Harbour (*Postponement of repayment of moneys. Increase of tolls, &c.*). c. xviii.
Waterford Harbour (*Power to levy rates, &c.*). c. xlii.
Wear Navigation and Sunderland Dock (*Increase of tolls*). c. xxix.

[*For Acts confirming Provisional Orders under General Pier and Harbour Act*, 1861, *and under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (4), (9).]

Class V.—Local Government (including Judicial Matters, Poor Law and Public Health).

Bedwellty Urban District Council (*Supply of electricity and gas &c.*). c. lxiv.
Birmingham Corporation (*Lands and housing. Power to establish savings bank, &c.*). c. lxv.
Birmingham Corporation Tramways. (*Street improvements. Power to make tramways, &c.*). c. l.
Blackwood Improvement (*Purchase of tramways, &c.*). c. li.
Bristol Corporation (*Increase of tolls and dock dues*). c. xii.
Cannock Urban District Council (*Power to run omnibuses, &c.*). c. cxvii.
City of London Police (*Expenses*). c. lxxiii.
East Ham Corporation (*Increase of Corporation, &c.*) c. lii.
Gosport and Alverstoke Urban District Council (*New works Power to establish ferry service, &c.*) c. cxxii.
Hartlepool Corporation (*Acquisition of ferry. Finance, &c.*). c. xxi.
Huddersfield Corporation Gas (*Transfer of gas undertakings, &c.*). c. lxi.
Leeds Corporation (*Power to construct tramways and waterworks. Extension of boundary, &c.*). c. liii.
Leicester Corporation (*Power to erect generating station, &c. Extension of time for completion of tramways, &c.*). c. cii.
London County Council (General Powers). (*Lands, &c.*). c. xxxiii.
London County Council (Money). c. xlv.
Manchester Corporation (*Acquisition of lands. New waterworks. Electricity, &c.*). c. cxix.
Middlesbrough Corporation (*Construction of tramways. Finance, &c.*). c. lviii.
Newcastle-upon-Tyne Corporation (Rates) (*Consolidation of local rates, &c.*). c. lxix.
Nuneaton Corporation (*Water. Burials. Increase of Council, Electricity, &c.*). c. xliii.
Poole Corporation (*Acquisition of Poole Bridge Superannuation allowances, &c.*). c. xliv.
Reigate Corporation (*New system of Audit, &c.*). c. xxiii.
Rotherham Corporation (*Finance Electricity, &c.*). c. xlvii.
Sheffield Corporation (*Waterworks. Tramways. Finance. &c.*). c. xlix.
Shoreham-by-Sea Urban District Council (*New bridge over River Adur, &c.*). c. lv.
Stockton-on-Tees Corporation (*Tramways. Motive power. Ferries, &c.*). c. xl.
Stretford Urban District Council (*Electricity supply. Power to run omnibuses, &c.*). c. lxvii.
Tynemouth Corporation (*Construction of tramways and light railways. Water supply. Finance, &c.*). c. lvi.
Walsall Corporation (*Supply of electricity. Further powers to run omnibuses, &c.*). c. cxviii.
West Hartlepool Corporation (*Construction of tramways. Finance, &c.*). c. lvii.

[*For Acts confirming Provisional Orders under Acts relating to subjects embraced in this Class, see* Class XVI.]

Class VI.—Lighting, Power and Heating.

(1) *Gas:*

Ammanford Gas (*Acquisition of Garnant Gas Company's undertaking, &c.*). c. ciii.
Bedwellty Urban District Council. c. lxiv., Part IV.
Bournemouth Gas and Water (*Additional works and capital. Lands, &c.*). c. xlviii.
Brentford Gas (*Additional capital. Supply, &c.*). c. v.
Dover Gas (*Additional capital, &c.*). c. lxii.
Hartlepool Gas and Water (*Residual products. Cutting off supplies. Finance, &c.*). c. xxiv.
Huddersfield Corporation Gas (*Transfer of gas undertakings, &c.*). c. lxi.
Newark Gas (*Lands and works. Calorific power, &c.*). c. xxxix.
Northampton Gas (*Extension of limits. Lands. Additional capital, &c.*). c. xix.
Pembroke District Gas (*Incorporation of company, &c.*). c. lxiii.
Sheringham Gas and Water (*Limiting price. Calorific power, &c.*). c. xxxiv.
South Shields Gas (*Supply. Purchase of lands. Testing, &c.*). c. vi.
Stocksbridge Gas (*Additional capital. Finance, &c.*). c. xli.
Stourport Gas (*Incorporation of company. Additional capital, &c.*). c. xxvii.
Sunderland Gas (*Supply. Additional capital, &c.*). c. xxviii.
Swinton and Mexborough Gas Board (*Purchase and supply of coke-oven gas, &c.*). c. cxvi.

[*For Acts confirming Provisional Orders relating to Gas Undertakings, see* Class XVI. (3), (6), (9).]

(2) *Electricity:*

Bedwellty Urban District Council. c. lxiv., Parts II., III.
Leicester Corporation (*Power to erect generating station, &c.*). c. cii.
Manchester Corporation. c. cxix., Part VI.
Nuneaton Corporation. c. xliii., Part V.
Rotherham Corporation. c. xlvii., Part II.
Shropshire Worcestershire and Staffordshire Electric Power (*Additional capital, &c.*). c. cxxi.
Stretford Urban District Council. c. lxvii., Part II.
Walsall Corporation. c. cxviii., Part II.

[*For Acts confirming Provisional Orders relating to Electricity, see* Class XVI. (2), (9).]

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•	S.	„ „	Scotland exclusively.
	I.	„ „	Ireland exclusively.
	U.K.	„ „	Great Britain and Ireland (and Colonies, if it so extend).
	Ind.	„ „	India specially.
	C.	„ „	The Colonies specially, or any of them.

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Printed by EYRE and SPOTTISWOODE, LTD.,
FOR
WILLIAM RICHARD CODLING, Esq., C.B.E., M.V.O., the King's Printer of Acts of Parliament.

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